

Government Gazette

OF

WESTERN AUSTRALIA

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No. 38]

PERTH: FRIDAY, 21 APRIL

[1989

Transfer of Land Act 1893

PROCLAMATION

WESTERN AUSTRALIA } By His Excellency Professor Gordon Reid, Com-
GORDON REID, } panion of the Order of Australia, Governor of the
Governor. } State of Western Australia.
[L.S.]

File No. 5735/50V7.

WHEREAS by the Transfer of Land Act 1893, the Governor is empowered by Proclamation in the *Government Gazette* to revest in Her Majesty as of Her former estate all or any lands, whereof Her Majesty may become the registered proprietor, and whereas Her Majesty is now the registered proprietor of the lands described in the Schedules hereto: Now, therefore, I, the Governor, with the advice and consent of the Executive Council, do by this my Proclamation revest in Her Majesty, Her Heirs and Successors, the land described in the Schedules hereto as of Her former estate.

Schedule 1

File Number; Description of Land; Certificate of Title—
Volume; Folio.

- 981/988—Portion of Swan Location 1315 and being Lot 367 on Plan 16270; 1802; 475.
540/989—Portion of Kwinana Lot E26 and being Lot 526 on Plan 16340; 1807; 751.
2885/903—Day Dawn Lot 57; 1813; 455.
1995/988—Portion of Swan Location 1689 and being Lot 79 on Plan 16304; 1806; 084.
2126/988—Portion of Kwinana Lot E26 and being Lot 411 on Plan 16340; 1807; 750.
1040/988—Portion of Kwinana Lot E26 and being Lot 626 on Plan 16340; 1807; 768.
2450/988—Portion of Kwinana Lot E26 and being Lot 170 on Plan 16343; 1815; 069.
2148/987—Nelson Location 12778; 1318; 428.
557/989—Portion of Cockburn Sound Location 549 and being Lot 234 on Plan 15468; 1724; 162.

- 413/988—Portion of each of Kojonup Locations 2565 and 8848 and being part of Lot 2 on Diagram 60908; 1813; 495.
2974/987—Westonia Lot 368 and portion of Westonia Lot 367; 1813; 122.
556/989—Portion of Cockburn Sound Locations 549 and being Lot 235 on Plan 15468; 1724; 163.
2974/987—Westonia Lot 18; 1813; 121.
3107/986—Portion of Canning Location 21 and being part of Lot 87 on Plan 2903 (1); 1783; 665.
2592/79—Portion of Perthshire Location Au and being part of the land on Plan 11416; 1672; 805.
2711/987—Portion of Fremantle Suburban Lot 76 coloured blue and marked Drain Reserve on Diagram 21944; 1813; 216.
2347/988—Manmanning Lot 8; 1425; 215.
7917/912—Moora Lot 336; 1382; 187.
7917/912—Moora Lot 334; 1382; 188.
7917/912—Moora Lot 332; 1382; 189.
7917/912—Moora Lot 329; 1382; 190.

Schedule 2

File Number; Description of Land.

- 550/989—Portion of Swan Location 1290 being the land coloured blue and marked "Drain Reserve" on Plan 10830 and being part of the land comprised in Certificate of Title Volume 1374 Folio 313.
1070/972—Portion of Swan Location 8373 and being Lot 15 on Plan 10457 being part of the land comprised in Certificate of Title Volume 1341 Folio 854.

Given under my hand and the Public Seal of Western Australia, at Perth, this 18th day of April 1989.

By His Excellency's Command,

KAY HALLAHAN,
Minister for Lands.

GOD SAVE THE QUEEN !

AT a meeting of the Executive Council held in the Executive Council Chamber, at Perth, on 4 April 1989, the following Order in Council was authorised to be issued.

Aboriginal Heritage Act 1972

ORDER IN COUNCIL

WHEREAS it is enacted (*inter alia*) by section 19 of the Aboriginal Heritage Act 1972, that where the Minister recommends that it is in the general interest of the community to do so, the Governor may, by Order in Council, declare that site to be a protected area; and whereas the Minister recommends to the Governor that the mythological and ceremonial site complex at Kutal is an Aboriginal site complex of outstanding importance. Now therefore, His Excellency the Governor acting with the advice and consent of Executive Council and in exercise of the powers conferred by section 19 of the Aboriginal Heritage Act 1972, hereby declares that the area specified in the first column of the Schedule to this order is a protected area for the purpose of the Aboriginal Heritage Act 1972, in relation to the Aboriginal site complex specified in the second column.

Schedule

Column 1

Shire of East Pilbara

Latitude and Longitude for Kutal: 21°20'S and 126°31'E

Specific location and dimension:

All that portion of land contained within a circle of five kilometre radius centred on the co-ordinates Latitude 21 degrees, 20 minutes, 8 seconds south, Longitude 126 degrees, 31 minutes, 44 seconds east.

Area: 7853.98 hectares.

Column 2

Kutal

Mythological and Ceremonial site.

Approved by His Excellency the Governor in Executive Council on 4 April 1989.

G. PEARCE,
Clerk of the Council.

AT a meeting of the Executive Council held in the Executive Council Chamber, at Perth, on 18 April 1989, the following Orders in Council were authorised to be issued.

Land Act 1933

ORDERS IN COUNCIL

WHEREAS by section 33 of the Land Act 1933, it is made lawful for the Governor to direct that any Reserve shall vest in and be held by any person or persons to be named in the Order, in trust for any of the purposes set forth in section 29 of the said Act, or for the like or other public purposes to be specified in such Order and with power of leasing; and whereas it is deemed expedient as follows—

File No. 853/989—That Reserve No. 40930 (Hann Location 3) should vest in and be held by the Aboriginal Lands Trust in trust for the purpose of "Use and Benefit of Aboriginal Inhabitants".

File No. 1983/984—That Reserve No. 40940 (Fitzroy Location 233) should vest in and be held by the Aboriginal Lands Trust in trust for the purpose of "Use and Benefit of Aboriginal Inhabitants".

File No. 1271/985—That Reserve No. 40948 (Bulara Location 78) should vest in and be held by the Aboriginal Lands Trust in trust for the purpose of "Use and Benefit of Aboriginal Inhabitants".

Now, therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council, does hereby direct that the beforementioned Reserves shall vest in and be held by the aforementioned bodies in trust for the aforementioned purposes with power to the said bodies to lease the whole or any portion thereof for any term, subject nevertheless to the powers reserved to me by section 37 of the said Act.

G. PEARCE,
Clerk of the Council.

Land Act 1933

ORDERS IN COUNCIL

WHEREAS by section 33 of the Land Act, 1933, it is made lawful for the Governor to direct that any Reserve shall vest in and be held by any person or persons to be named in the order in trust for the like or other public purposes to be specified in such order: And whereas it is deemed expedient as follows—

File No. 4052/967—That Reserve No. 29688 (Nelson Locations 13111 and 13117) should vest in and be held by the Shire of Manjimup in trust for the purpose of "Gravel and Parkland Rehabilitation".

File No. 1070/72—That Reserve No. 31971 (Swan Locations 8879 and 11195) be held by the City of Wanneroo in trust for the purpose of "Public Recreation".

Now, therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council, does hereby direct that the beforementioned Reserves shall vest in and be held by the abovementioned bodies in trust for the purposes aforesaid, subject nevertheless to the powers reserved to him by section 37 of the said Act.

G. PEARCE,
Clerk of the Council.

Land Act 1933

ORDER IN COUNCIL

File No. 3540/988.

WHEREAS by section 33 of the Land Act 1933, it is made lawful for the Governor to direct that any Reserve shall vest in and be held by any person or persons to be named in the Order, in trust for any purpose specified in such Order and with power of leasing; and whereas it is deemed expedient that Reserve No. 40942 (Coolgardie Lot 2215) should vest in and be held by the Shire of Coolgardie in trust for the purpose of "Recreation and Hallsite".

Now, therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council, does hereby direct that the beforementioned Reserve shall vest in and be held by the Shire of Coolgardie in trust for "Recreation and Hallsite" with power to the said Shire of Coolgardie subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease, subject nevertheless to the powers reserved to me by section 37 of the said Act; provided that no such lease or assignment of lease shall be valid or operative until the approval of the Minister for Lands or an officer authorised in that behalf by the Minister, has been endorsed on the Lease Instrument, or Deed to Assignment, as the case may be.

G. PEARCE,
Clerk of the Council.

Land Act 1933

ORDER IN COUNCIL

File No. 1748/70.

WHEREAS by section 34B (1) of the Land Act 1933, it is made lawful for the Governor to revoke an Order in Council issued pursuant to section 33 of that Act. And whereas by Order in Council dated 27 October, 1987, Reserve 32460 was vested in the Shire of Manjimup in trust for the purpose of "Park and Gardens".

Now, therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council, hereby directs that the beforementioned Order in Council be revoked and the Vesting Order cancelled accordingly.

G. PEARCE,
Clerk of the Council.

CORRIGENDUM

Department of Land Administration,
Perth, 21 April 1989.

File 7085/04.

THE notice appearing in *Government Gazette* dated 24 February, 1989 on page 508 with reference to the revocation of an Order in Council dated 8 May, 1963 for Reserve No. 17337 is hereby amended by inserting Reserve No. 17339 in lieu of Reserve No. 17337.

N. J. SMYTH,
Executive Director.

Ministry of the Premier and Cabinet,
Perth, 6 April 1989.

IT is hereby notified for public information that Her Majesty the Queen has been pleased to approve of the retention of the title of "Honourable" by Mr Charles Howard Smith, former Judge of the Supreme Court of Western Australia.

D. G. BLIGHT,
Director General.

Department of the Premier,
Perth, 21 April 1989.

IT is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence of the Hon J. F. Grill, M.L.A., for the period 24 to 28 April, 1989 inclusive. Acting Minister for Economic Development and Trade; Tourism—Hon. I. F. Taylor, M.L.A.

G. PEARCE,
Chief Executive,
Department of the Premier.

PAY-ROLL TAX ASSESSMENT ACT 1971

Notice of Exemption of Charitable Body

NOTICE is hereby given under the provisions of section 10 (3) of the Pay-roll Tax Assessment Act 1971, that the Kundat Djaru Aboriginal Corporation is declared to be exempt for the purposes of section 10 (1) (k) of the Act, in relation to its charitable objects.

Dated 30 March, 1989.

J. M. BERINSON,
Minister for Budget Management.

PAY-ROLL TAX ASSESSMENT ACT 1971

Notice of Exemption of Charitable Body

NOTICE is hereby given under the provisions of section 10 (3) of the Pay-roll Tax Assessment Act 1971, that the South West Corridor Development and Employment Foundation (Inc) is declared to be exempt for the purposes of section 10 (1) (k) of the Act, in relation to its charitable objects.

Dated 30 March, 1989.

J. M. BERINSON,
Minister for Budget Management.

COMPANIES (APPLICATION OF LAWS) ACT 1981

COMPANIES (APPLICATION OF LAWS) (PENALTY NOTICES) (No. 2) REGULATIONS 1989

MADE by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Companies (Application of Laws) (Penalty Notices) (No. 2) Regulations 1989*.

Interpretation

2. In these regulations, the *Companies (Application of Laws) (Penalty Notices) Regulations 1989* published in the *Government Gazette* on 27 January 1989 are referred to as the principal regulations.

Amendment of schedule to principal regulations

3. The principal regulations are amended by inserting in the schedule to those regulations, in the appropriate sequence of item numbers, the prescribed offences, provisions, descriptions and penalties set out in the schedule to these regulations.

Schedule
Prescribed Offences—Provisions, Descriptions and Penalties

Column 1 Item	Column 2 Section	Column 3 Description	Column 4 Penalty
			\$
279	285 (9)	Failure by the auditor to inform the Commission of a breach of sections 240 or 275.....	250
280	285 (10)	Failure by the auditor to report to the Commission a breach of the provisions of the Code not dealt with in the auditor's report or brought to the notice of the directors.....	250
281	285 (11)	Failure by an auditor to send a copy of the auditor's report to the Accounting Standards Review Board within the required time.....	250
282	287 (1)	Failure by an auditor of a borrowing corporation to send a copy of any document to the trustee for debenture holders within the required time.....	250
283	287 (2)	Failure by an auditor to send a report in respect of matters prejudicial to the interests of debenture holders within the required time.....	250
284	296 (5)	Refusal or failure by an officer of a corporation to take an oath or make an affirmation.....	500
285	296 (13)	Refusal or failure by a legal practitioner to comply with the request of an inspector.....	250
286	298 (4)	Failure to comply with the conditions relating to a copy of the record of examination of a person.....	500

Column 1 Item	Column 2 Section	Column 3 Description	Column 4 Penalty
			\$
287	298 (7)	Use of a record of examination by a legal practitioner otherwise than as permitted by the Code	500
288	298 (9)	Failure to comply with conditions in respect to a record of examination or related book imposed by the Commission	500
289	308	Failure to furnish name and address of a person making a privileged communication	500
290	311 (4)	Failure to comply with an Order of the Commission made under section 311 (1).....	1 250
291	315 (7)	Disqualified person acting as an administrator of a compromise or arrangement.....	250
292	315 (13)	Failure to annex a copy of the order of the Court to the memorandum or constituent documents of the company	250
293	315 (15)	Failure by the directors to arrange for a report on proposals or to make the report available	250
294	316 (1)	Failure to send an explanatory statement as to a compromise or arrangement proposed	250
295	316 (3)	Failure to specify the material interests of the trustee or debenture holders in, or the effect on those interests of, a compromise or arrangement proposed	250
296	316 (4)	Failure to provide a copy of the explanatory statement upon request.....	250
297	316 (5)	Failure by the directors or trustee for debenture holders to give the particulars required for an explanatory statement....	250
298	316 (6)	Sending out an unregistered explanatory statement.....	250
299	317 (3)	Failure to lodge with the Commission within the required time a copy Court Order made under section 317 (1).....	250
300	318 (10)	Failure to bank trust moneys in a separate bank account	250
301	318 (11)	Failure to pay unclaimed trust moneys to the appropriate Minister within the required time	250
302	319 (1)	Failure to lodge within the required time notice of appointment of scheme administrator.....	250
303	320 (6)	Failure to lodge with the Commission within the required time an office copy of a Court Order made pursuant to an application under section 320.....	250
304	323 (1A)	Disqualified person acting as a receiver.....	250
305	324B (1)	Failure to carry out the duties of a receiver.....	250
306	324C (1)	Failure by a receiver to lodge a report with, or to furnish information or provide access to, the Commission	250

Approved by His Excellency the Governor in Executive Council.

G. PEARCE,
Clerk of the Council.

CORRIGENDUM

COMPANIES (APPLICATION OF LAWS) ACT 1981

COMPANIES (ACQUISITION OF SHARES) (APPLICATION OF LAWS) (PENALTY NOTICES) REGULATIONS 1989

WHEREAS an error occurred in the notice published under the above heading on page 281 of *Government Gazette* (No. 12) of 27 January 1989 it is corrected as follows—

In column 4 of item 52:
delete "1259" and insert "1250".

JUSTICES ACT 1902

IT is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following appointments to the Commission of the Peace for the State of Western Australia.

James Patrick Fisher of 24 Hilleagine Court, Gosnells, and Metropolitan Prison Complex, Canning Vale.

Robert Terrance Shuard of 1 Centenary Road, Gelorup, and Bunbury Regional Prison, Bunbury.

Ian Leonard William Stiles of 264 Morrison Place, Leeman, and AMC Mineral Sands Ltd., Eneabba.

D. G. DOIG,
Under Secretary for Law.

ELECTORAL ACT 1907

In the Court of Disputed Returns

No. 1 of 1989

IN the matter of the election of a member of the Legislative Assembly for the Whitford District held the 4th day of February 1989 and in the matter of the Electoral Act 1907 as amended between John Matthew Clifford Petitioner and Pamela Anne Beggs, Respondent.

THE petition of JOHN MATTHEW CLIFFORD of 154 Mullaloo Drive, Mullaloo in the State of Western Australia whose name is subscribed.

(A) Your petitioner (hereinafter referred to as "Clifford") was a candidate at the election of a

member of the Legislative Assembly for the Whitford District which was held on the 4th day of February 1989.

- (B) At the said election Pamela Anne Beggs (hereinafter referred to as "Beggs") was also a candidate and on the 14th of February 1989 was declared to be the successful candidate for the Whitford District.
- (C) The return date of the Writ for the election was the 3rd of March 1983.
- (D) By reason of the facts set out hereunder, your petitioner claims that Beggs has committed attempted bribery, or bribery, contrary to the provisions of the Electoral Act 1907 as amended.

Facts Constituting Attempted Bribery or Bribery

1. In January of 1989 on diverse dates and at diverse places Beggs and others with her knowledge and authority did invite people to attend an Australia Day Free Family Sausage Sizzle on Saturday the 28th of January 1989 at the shores of Lake Joondalup in the State of Western Australia at 11.30 a.m.
2. Beggs and others with her knowledge and authority advertised that at the time and at the place set forth in the preceding paragraph those who attended would be provided with free food and drinks supplied with funds from the Australian Labor Party, the political party she represented at the election.
3. On Saturday the 28th of January 1989 at the shores of Lake Joondalup in the said State Beggs and others with her knowledge and authority did supply food and drinks to electors with a view to influencing the vote of the electors who attended at Lake Joondalup on that day and of others who became aware of the aforesaid function.

WHEREUPON your petitioner prays that it may be determined, ordered and declared that:

- (a) The election of PAMELA ANNE BEGGS as a member of the Legislative Assembly for the Whitford District on the 4th day of February 1989 is absolutely void.
- (b) The Petitioners costs be provided for.

JOHN MATTHEW CLIFFORD.

Witness: CATHERINE SPILLANE.

Address: 4/70 Matheson Road, Applecross, Legal Secretary.

Witness: NICOLE BEARD.

Address: 7 Pyrus Street, Duncraig, Legal Clerk.

Filed in the Central Office of the Supreme Court the 12th day of April 1989 by Messrs Lawrence & Howell of 2nd Floor, 27 St George's Terrace, Perth, Solicitors for the Petitioner.

Address for service Care of Lawrence & Howell, 2nd Floor, 27 St George's Terrace, Perth.

ELECTORAL ACT 1907

In the Court of Disputed Returns

No. 2 of 1989

In the matter of the Election of a Member of the Legislative Assembly for the Mandurah District held on the 4th day of February 1989.

The petition of JOHN BELL READ, of Lot 40 Husband Road, Barragup in the State of Western Australia, whose name is subscribed.

- (A) Your petitioner ("Read") was a candidate at the election of a member of the Legislative Assembly for the Mandurah District which was held on the 4th day of February 1989 ("the election").
- (B) At the election Roger Nicholls ("Nicholls") and Barbara Stark ("Stark") were also candidates.
- (C) On or about the 13th day of February 1989 the Returning Officer for the Mandurah District ("the Returning Officer") declared that, of the valid first preference votes cast, 4 012 were recorded in favour of Read, 3 974 were recorded in favour of Nicholls, 711 were recorded in favour of Stark and 590 were recorded as being informal votes.

(D) After the distribution on or about the 13th day of February 1989 of preferences from the votes cast for Stark the votes recorded in favour of Read numbered 4 256 and the votes in favour of Nicholls numbered 4 441.

(E) Thereupon on the 13th day of February, 1989 the Returning Officer declared Nicholls to be the duly elected candidate.

(F) The return date of the writ for the election was the 3rd March 1989.

(G) But for the matters set out below, the majority of votes cast, after the distribution of preferences, would have been in favour of Read and he would have been declared to be the duly elected candidate.

(H) Alternatively, the matters set out below demonstrate that the election should be declared void by virtue of the irregularities and/or breaches of the Electoral Act 1907 as amended ("the Act") that occurred.

Matters Referred to in Paragraphs G and H Above

1. The Returning Officer wrongly rejected valid votes in favour of Read and declared as informal, votes that should have been admitted as valid votes for Read.
2. The Returning Officer wrongly admitted as valid votes in favour of Nicholls, votes that should have been rejected on the grounds that they contravened sections 128 and 139 of the Act.
3. The Returning Officer wrongly admitted as valid votes in favour of Stark, votes that should have been rejected on the grounds that they contravened sections 128 and 139 of the Act.
4. Eighteen electors who were patients at the Mandurah Hospital were unable to cast a vote as no mobile polling booth was provided for them. The Returning Officer had been informed on or about the 2nd February 1989 that a mobile booth was required.
5. Voters who were residents of the Halls Head Nursing Home did not vote as a result of being told by the Matron of the Nursing Home that they did not have to vote and who arranged for the electors to be taken from the voting booth area back to their rooms. These electors had wished to cast a vote.
6. The irregularities and/or breaches of the Act referred to above severally or cumulatively affected the result of the election.
7. (a) Nicholls committed or attempted to commit undue influence in that he personally solicited the votes of electors on polling day by, *inter alia*, handing out "How-to-vote" cards and speaking to electors, urging them to vote for him, at or near polling places including the Dudley Park booth at Mandurah.
- (b) By reason of the matters referred to in paragraph 7 (a), Nicholls' election should be declared void pursuant to Section 154 (1) of the Act. Alternatively, the result of the election was intended to be and was actually affected by such matters and it is just that Nicholls should be declared not to be duly elected or the election declared void.

WHEREUPON your petitioner prays that it may be determined ordered and declared that—

- (a) Nicholls was not duly elected;
- (b) (i) Read was validly elected, or alternatively;
- (ii) the election of a member of the Legislative Assembly for the Mandurah District on the 4th day of February 1989 was void;
- (c) The Petitioner's costs be provided for.

JOHN B. READ.

Witness: N. D. POPE (Nicholas David Pope)

Address: 22 Gloster Street, Subiaco.

Occupation: Solicitor.

Witness: R. CASTIGLIONE (Robert Castiglione).

Address: 15 Bondi Street, Mt Hawthorn 6016.

Occupation: Articled Clerk.

Filed in the Central Office of the Supreme Court the 12th day of April 1989 by Messrs Dwyer Durack of 9th Floor, 50 St George's Terrace, Perth. Solicitors for the Petitioner.

Address for Service: Care of Dwyer Durack, 9th Floor, 50 St George's Terrace, Perth.

ELECTORAL ACT 1907

In the Court of Disputed Returns

No. 3 of 1989

In the matter of the Election of a Member of the Legislative Assembly for the Melville District held on the 4th day of February 1989.

THE Petition of BARRY JAMES HODGE of 50 Money Road, Melville in the State of Western Australia, whose name is subscribed.

- (A) Your petitioner ("Hodge") was a candidate at the election of a member of the Legislative Assembly for the Melville District which was held on the 4th day of February 1989 ("the election").
- (B) At the election Doug Shave ("Shave"), Les Sells ("Sells"), Paul Llewellyn ("Llewellyn") and Bernard Putnin ("Putnin") were also candidates.
- (C) On or about the 16th day of February 1989 the Returning Officer for the Melville District ("the Returning Officer") declared that of the valid first preference votes cast, 8 159 were recorded in favour of Hodge, 8 159 were recorded in favour of Shave, 732 were recorded in favour of Sells, 858 were recorded in favour of Llewellyn, 508 were recorded in favour of Putnin and 1 605 were recorded as being informal votes.
- (D) After the distribution on or about the 16th day of February 1989 of preferences from the votes cast for Sells, Llewellyn and Putnin the votes recorded in favour of Hodge numbered 9 192 and the votes in favour of Shave numbered 9 224.
- (E) On the 16th day of February, 1989 the Returning Officer declared Shave to be the duly elected candidate.
- (F) The return date of the writ for the election was the 3rd March 1989.
- (G) But for the matters set out below, the majority of votes cast, after the distribution of preferences, would have been in favour of Hodge and he would have been declared to be the duly elected candidate.
- (H) Alternatively, the matters set out below demonstrate that the election should be declared void by virtue of the irregularities and/or breaches of the Electoral Act 1907 as amended ("the Act") that occurred.

Matters Referred to in Paragraphs G. and H. Above

1. The Returning Officer wrongly rejected valid votes in favour of Hodge, and declared as informal, votes that should have been admitted as valid votes for Hodge.
2. The Returning Officer wrongly admitted as valid votes in favour of Shave votes that should have been rejected on the grounds that they contravened Sections 128 and 139 of the Act.
3. The Returning Officer wrongly admitted as valid votes in favour of Putnin votes that should have been rejected on the grounds that they contravened sections 128 and 139 of the Act.
4. 45 electors each voted twice, or alternatively, some person or persons unknown wrongly obtained ballot papers in the names of those persons and cast votes to which they were not entitled.
5. 106 persons who had not lived in the Melville District during the period of 3 months prior to the election wrongly cast votes for the Melville District. Of these persons, 49 cast absentee votes and thereby made false written declarations concerning their entitlement to vote for the Melville District.
6. One elector, namely Valerie Edith Cann, having spoiled her ballot paper by mistake or accident, was refused a new ballot paper by an electoral officer at the polling place at Palmyra Primary School, contrary to Section 130 of the Act. The elector was unable to cast a vote and had she been able to do so she would have voted for Hodge.
7. Various electors, including Ivy May Peters ("Peters") and Richard Albert Korbosky ("Korbosky") after having duly made applications for postal votes pursuant to Section 90 of the Act were not sent postal ballot papers. The said electors were because of illness, infirmity, or other good reason under Section 90 (1) of the Act unable to attend any polling place to cast their votes and did not do so. Peters and Korbosky would have cast votes in favour of Hodge.

8. The Returning Officer wrongly admitted 29 postal ballot papers which had not been obtained by applications in the prescribed form for applying for a postal ballot paper and/or did not comply with the Act including Section 90 (3) (a). The said ballot papers resulted in 20 votes to Shave and 9 votes to Hodge.
9. Electoral Officers wrongly provided voters who had applied for absentee votes for the Melville electorate, ballot papers for districts other than Melville.
10. Provisional votes made by electors pursuant to Section 122A of the Act in favour of Hodge at the mobile polling booth which attended various institutions including St. Ives Retirement Home, Attadale Hospital, St. Joseph's Hospital, Craigville Nursing Home and Nazareth House were wrongly rejected from the count and the same should have been admitted as votes for Hodge.
11. The irregularities and/or breaches of the Act referred to in paragraphs 1 to 10 above severally or cumulatively affected the result of the election.
12. (a) Shave committed or attempted to commit undue influence in that he personally solicited the votes of electors on polling day by, inter alia, handing out how to vote cards and speaking to electors, urging them to vote for him, at or near various polling places including the Bicton Primary School, the Hilton Park Primary School and the Samson Primary School.
(b) By reason of matters referred to in paragraph 12 (a) Shave's election should be declared void pursuant to Section 164 (1) of the Act. Alternatively, the result of the election was intended to be and was actually effected by such matters and it is just that Shave should be declared not to be duly elected or the election declared void.

Whereupon your petitioner prays that it may be determined ordered and declared that—

- (a) Shave was not duly elected;
- (b) (i) Hodge was validly elected, or alternatively;
(ii) the election of a member of the Legislative Assembly for the Melville District on the 4th day of February 1989 was void;
- (c) The Petitioner's costs be provided for.

B. J. HODGE.

Witness: N. D. Pope (Nicholas David Pope).

Address: 22 Gloster Street, Subiaco.

Occupation: Solicitor.

Witness: R. Castiglione (Robert Castiglione).

Address: 15 Bondi Street, Mt Hawthorn.

Occupation: Articled Clerk.

Filed in the Central Office of the Supreme Court the 12th day of April 1989 by Messrs Dwyer Durack of 9th Floor, 50 St George's Terrace, Perth. Solicitors for the Petitioner.

Address for Service: Care of Dwyer Durack, 9th Floor, 50 St George's Terrace, Perth.

ELECTORAL ACT 1907

In the Court of Disputed Returns

No. 4 of 1989

IN the Matter of the Election of a Member for the Legislative Assembly for the Swan Hills District, Eric Arthur Ridgway, Petitioner. Gavan John Troy, First Respondent. Oscar Neil Blackburne Oliver, Second Respondent.

Petition

THE petition of ERIC ARTHUR RIDGWAY of 4 Connor Road, Lesmurdie in the State of Western Australia, retired Investor, whose name is subscribed.

Formal.

1. On Thursday the 5th day of January 1989 Writs were issued for a General Election.
2. The Writ issued for the Swan Hills District ("the District") prescribed:
 - (a) 13th January 1989 as the date of nomination;
 - (b) 4th February 1989 as the date of polling; and
 - (c) 3rd March 1989 as the date of the return of the Writ.

3. On 13th January 1989 the Petitioner nominated as a candidate for the District as did also Gavan John Troy of 44 Talbot Road, Swan View in the said State ("Troy") and Oscar Neil Blackburne Oliver of 9 The Avenue, Midland, in the said State ("Oliver").
4. On 4th February 1989 a poll took place.
5. Upon the counting of the first preference votes the Petitioner was declared a defeated candidate having received 1 547 first preference votes as compared with 8 532 for Troy and 7 526 for Oliver.
6. On 15th February 1989, after distribution of the second preferences of those persons who had voted for the Petitioner, Troy was declared elected as member for the District with 9 067 votes as compared to 8 538 votes for Oliver.

Votes wrongly admitted

7. At the poll:
 - (a) persons who were not qualified to be enrolled, in that they had not lived in the District for which they claimed to be enrolled as an elector for one month last past, and or alternatively
 - (b) persons who no longer lived in the District and who had ceased to live there more than 3 months prior to the election

did not have put to them the questions required by sub-section 119 (1) of the Electoral Act 1907 ("the Act") paragraphs (b), (c), (d), or (e) nor were they required to declare nor did they make the declaration provided for in sub-section 119 (4) and were wrongfully permitted to vote.

Illegal Practices

8. At the poll multiple votes were claimed and cast in the name of persons enrolled on the roll.

Breach of duty

9. After the poll on February 6th, 1989 and thereafter the Petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of the Electoral Regulations 1988 ("the Regulations") of the absent and postal votes for the purpose of deciding whether the votes should be admitted to the count and the Petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact absent and postal votes were cast:
 - (a) by unqualified persons; and
 - (b) in the name of fictitious persons; and
 - (c) in the names of real persons who had not applied to be enrolled; and
 - (d) by way of personation.
10. At the counting of the ballot papers for postal and absent votes the Returning Officers failed to place the inner envelopes unopened in a ballot box for the District as required by Regulation 19 and the secrecy of the ballot and purity of the election was thereby impaired.
11. The roll for the District was kept, and the poll and the count were so conducted that:
 - (a) the election for the District was not or was not seen to be a fair election;
 - (b) the ballot was not or was not seen to be a secret ballot;
 - (c) the purity of the election could not be verified or guaranteed in that if electoral fraud occurred its detection was rendered difficult or impossible and the election could not be seen to be pure, and the result cannot be safely relied upon as being a fair, democratic and honest expression of the electors intentions.

Particulars

- (a) The matters set out in paragraphs 7-10 hereof.
- (b) At the count of the ballot papers by the Returning Officer pursuant to paragraph 144 (2) (d) of the Act

the Returning Officer failed to observe the provisions of paragraph (a) (ii) as required by paragraph (d) (i) in that he did not count the ballot papers received from the Assistant Returning Officers.

- (c) The Returning Officers failed to secure the proper custody of the ballot papers and other documents from the time they were received until their final delivery to the Clerk of the Assembly or The Electoral Commissioner as the case may be.
 - (d) The Electoral Commission failed to secure the Counting Places or the ballot papers or other papers within them.
 - (e) The acquittal papers were not present when the ballot papers were recounted at Belmont Counting Centre on February 11, 1989 and it was therefore not possible to conduct a proper recount or detect any intervening electoral fraud.
 - (f) The ballot boxes were insecure in that:
 - (i) false papers could be introduced through the openings thereof;
 - (ii) false papers could be introduced or true papers removed through the bottoms thereof;
 - (iii) they could be physically breached;
 - (iv) the seals were capable of being counterfeited or secretly removed and replaced;
 - (v) false ballot boxes could be introduced containing false ballot papers and substituted for genuine ballot boxes or added to the ballot boxes present for the count.
 - (g) Loose leaf rolls were used which are amenable to tampering and which set to no effect the certification of the rolls for marking and the marked rolls as required by Sections 12 and 150 (2) of the Act.
 - (h) Acquittal documents for absent and postal votes in electoral districts outside the District were signed in blank.
12. At all material times Oliver was a member of the Legislative Council for the West Province.
By nominating himself as a candidate for the District, as referred to in paragraph 3 hereof, Oliver was acting in breach of the provisions of Section 77 (4) of the Act, being a person disqualified from being elected at that election as or from being a member of the Legislative Assembly, pursuant to the provisions of Section 31 (1) of the Constitution Act Amendment Act 1899.
 13. The nomination of Oliver was invalid pursuant to the provisions of Section 77 (5) of the Act.
 14. The result of the election was actually affected by the actions variously referred to herein.
 15. Whereupon your Petitioner prays that it may be determined:
 - (1) an inquiry be held pursuant to Section 163 as to the identity of persons admitted to vote who were not entitled to vote and whether their votes were improperly admitted;
 - (2) that Troy was not duly elected and the election for the District is absolutely void;
 - (3) that the nomination of Oliver as a candidate for the District was invalid;
 - (4) that the Petitioner may have such further or other relief as may be just.

E. A. RIDGWAY,
Petitioner.

Witness: MONICA COOMBS.

Name: MONICA MARIE COOMBS.

Address: 10A Ariel Court, Alexander Heights.

Occupation: Articled Clerk.

Witness: D. RICE.

Name: DEBORAH JANE RICE.

Address: 37 Selkirk Street, North Perth WA 6006.

Occupation: Legal Secretary.

Filed in the Central Office of the Supreme Court the 12th day of April 1989 by Messrs. Robinson Cox, Solicitors for the Petitioner, whose address for service is Level 35, R & I Bank Tower, 108 St. George's Terrace, Perth.
Telephone: 426 8444. Ref: MH: 585679.

ELECTORAL ACT 1907

In the Court of Disputed Returns

No. 5 of 1989

In the matter of the election of a Member for the Legislative Assembly for the Murray District. Brian Desmond McLean, Petitioner. Keith John Read, Respondent.

Petition

THE Petition of BRIAN DESMOND McLEAN of Lot 16 Furnissdale Road, Furnissdale in the State of Western Australia, Service Contractor, whose name is subscribed.

Formal

1. On Thursday the 5th day of January 1989 writs were issued for a General Election.
2. The Writ issued for the Murray District ("the District") prescribed:
 - (a) 14th January 1989 as the date of nomination
 - (b) 4th February 1989 as the date of polling and
 - (c) 3rd March 1989 as the date of the return of the writ.
3. On 3rd January 1989 the petitioner nominated as a candidate for the District as did also Keith John Read of 5 Edinburgh Close, Falcon in the said State ("Read"), Luna Gardiner of 24 Flinders Street, Falcon in the said State ("Gardiner"), Terence Caraher of 4 Lovegrove Street, Pinjarra in the said State and Susan Ann Ishmael of 7 Kingia Place, Carcoola in the said State ("Ishmael").
4. On 4th February 1989 a poll took place.
5. Upon the counting of the first preference votes Ishmael was declared a defeated candidate having received 183 first preference votes as compared with 287 for Caraher, 488 for Gardiner, 3,991 for Read and 4,086 for the petitioner.
6. Upon the counting of the second preference votes of those persons who had voted for Ishmael, Caraher was declared a defeated candidate having received 323 votes as compared with 577 for Gardiner, 4,017 for Read and 4,118 for the petitioner.
7. Upon the counting of the second preference votes for Caraher, Gardiner was declared defeated having received 759 votes as compared with 4,098 for Read and 4,178 for the petitioner.
8. On 15th February 1989, after distribution of the second preferences of those persons who had voted for Gardiner, Read was declared elected as member for the District with 4,598 votes as compared with 4,437 for the petitioner.

Votes wrongly admitted

9. At the poll:
 - (a) persons who were not qualified to be enrolled, in that they had not lived in the District for which they claimed to be enrolled as an elector for one month last past, and or alternatively
 - (b) persons who no longer lived in the District and who had ceased to live there more than 3 months prior to the election

did not have put to them the questions required by sub section 119 (1) paragraphs (b), (c), (d) or (e) of the Electoral Act 1907 ("the Act") nor were they required to declare nor did they make the declaration provided for in Section 119 (4) and were wrongfully permitted to vote.

Breach of duty

10. Upon the counting of the postal votes, on 4 February 1989 at Belmont, the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of the Electoral Regulations 1988 (the "Regulations") of postal votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact postal votes were cast by unqualified persons.
11. After the poll on February 6th, 1989 and thereafter the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of absent votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact absent votes were cast by unqualified persons.

12. At the counting of the ballot papers for postal and absent votes the Returning Officers failed to place the inner envelopes unopened in a ballot box for the District as required by Regulation 19 and the secrecy of the ballot and purity of the election was thereby impaired.
13. The roll for the District was kept, and the poll and the count were so conducted that:
 - (a) the election for the District was not or was not seen to be a fair election
 - (b) the ballot was not or was not seen to be a secret ballot
 - (c) the purity of the election could not be verified or guaranteed in that if electoral fraud occurred its detection was rendered difficult or impossible and the election could not be seen to be pure
 and the result cannot be safely relied upon as being a fair democratic and honest expression of the electors intentions.

Particulars

- (a) The matters set out in paragraph 7-12 hereof
- (b) The Returning Officers failed to secure the proper custody of the ballot papers and other documents from the time they were cast or received until their final delivery to the Clerk of the Assembly or The Electoral Commissioner as the case may be
- (c) The Electoral Commission failed to secure the Counting Place or the ballot papers or other papers within them.
- (d) The Presiding Officers' and Returning Officers' Returns were not present when the ballot papers were recounted at Belmont Counting Centre on February 11, 1989 and it was therefore not possible to conduct a proper recount or detect any intervening electoral fraud
- (e) The ballot boxes were insecure in that:
 - (i) false papers could be introduced through the openings thereof
 - (ii) false papers could be introduced or true papers removed through the bottoms thereof
 - (iii) they could be physically breached
 - (iv) the seals were capable of being counterfeited or secretly removed and replaced
 - (v) false ballot boxes could be introduced containing false ballot papers and substituted for genuine ballot boxes or added to the ballot boxes present for the count.
- (g) Loose leaf rolls were used which were amenable to tampering and which set to no effect the certification of the rolls for marking and the marked rolls as required by Sections 12 and 150 (2) of the Act.
- (h) Returns for absent and postal votes cast in electoral districts outside the District were signed in blank.

Whereupon your petitioner prays that it may be determined:

- (1) an inquiry be held pursuant to Section 163 as to the identity of persons admitted to vote who were not entitled to vote and whether their votes were improperly admitted
- (2) that Read was not duly elected and the election for the District is absolutely void
- (3) that the petitioner may have such further or other relief as may be just

B. D. McLEAN,
Petitioner.

Witness: L. E. McQUOID.

Name: L. E. McQUOID.

Address: 10/43 Robert Street, Como.

Occupation: Receptionist.

Witness: J. MANAD.

Name: JOCELYN MANAD.

Address: 46 Kennard Street, Kensington WA 6151.

Occupation: Secretary.

Filed in the Central Office of the Supreme Court the 12th day of April 1989 by Mallesons Stephen Jaques, solicitors for the petitioner, whose address for service is Law Chambers, Cathedral Square, Perth WA 6000. Tel: 421 2444.

ELECTORAL ACT 1907

In the Court of Disputed Returns

No. 6 of 1989

In the Matter of the Election of a Member for the Legislative Assembly for the Whitford District. Peter Francis Harrop, Petitioner. Pamela Anne Beggs, Respondent.

Petition

THE Petition of PETER FRANCIA HARROP of 8 Rainbow View, Ocean Reef in the State of Western Australia, Business Proprietor, whose name is subscribed.

Formal

1. On Thursday the 5th day of January 1989 writs were issued for a General Election.
2. The Writ issued for the Whitford District ("the District") prescribed:
 - (a) 13th January 1989 as the date of nomination
 - (b) 4th February 1989 as the date of polling and
 - (c) 3rd March 1989 as the date of the return of the writ
3. On 7th January 1989 the petitioner nominated as a candidate for the district as did also Pamela Anne Beggs of 8 Rossiter Heights, Hillarys in the said State ("Beggs"), Geoffrey Cassel Boddington Smart of 4 Brazier Road, Padbury in the said State ("Smart") and John Matthew Clifford of 154 Mullaloo Drive, Mullaloo in the said State ("Clifford").
4. On 4th February 1989 a poll took place.
5. Upon the counting of the first preference votes Smart was declared a defeated candidate having received 926 first preference votes as compared with 2,501 for Clifford, 7,065 for Beggs and 5,670 for the petitioner.
6. Upon the counting of the second preference votes of those persons who had voted for Smart, Clifford was declared a defeated candidate having received 3,053 votes as compared with 7,224 votes for Beggs and 5,885 votes for the petitioner.
7. On 14th February 1989, after distribution of the second preferences of those persons who had voted for Clifford, Beggs was declared elected a member for the District with 8,356 votes as compared with 7,806 votes for the petitioner.

Votes wrongly admitted

8. At the poll:
 - (a) persons who were not qualified to be enrolled, in that they had not lived in the District for which they claimed to be enrolled as an elector for one month last past, and or alternatively
 - (b) persons who no longer lived in the District and who had ceased to live there more than 3 months prior to the election

did not have put to them the questions required by sub section 119 (1) of the Electoral Act 1907 ("the Act") paragraphs (b), (c), (d) or (e) nor were they required to declare nor did they make the declaration provided for in subsection Section 119 (4) and were wrongfully permitted to vote.

Bribery

9. On 26th January 1989, after nominations had been officially called, at Neil Hawkins Park, Joondalup, Beggs did supply food, drink and entertainment to electors with a view to influencing the vote of electors thereby committing bribery as defined by section 182 of the Act.

Breach of duty

10. Upon the counting of the postal votes, on 4 February 1989 at Belmont, the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of the Electoral Regulations 1988 (the "Regulations") of postal votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact postal votes were cast by unqualified persons.
11. After the poll on February 6th, 1989 and thereafter the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of absent votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact absent votes were cast by unqualified persons.

12. At the counting of the ballot papers for postal and absent votes the Returning Officers failed to place the inner envelopes unopened in a ballot box for the District as required by Regulation 19 and the secrecy of the ballot and purity of the election was thereby impaired.
13. The roll for the District was kept, and the poll and the count were so conducted that:
 - (a) the election for the district was not or was not seen to be a fair election
 - (b) the ballot was not or was not seen to be a secret ballot
 - (c) the purity of the election could not be verified or guaranteed in that if electoral fraud occurred its detection was rendered difficult or impossible and the election could not be seen to be pure
 and the result cannot be safely relied upon as being a fair democratic and honest expression of the electors intentions.

Particulars

- (a) The matters set out in paragraphs 8-12 hereof
- (b) At the count of the ballot papers received at the polling place at Padbury the Assistant Returning Officer counted informal votes as formal votes
- (c) The Returning Officers failed to secure the proper custody of the ballot papers and other documents from the time they were received until their final delivery to the Clerk of the Assembly or The Electoral Commissioner as the case may be
- (d) The Electoral Commission failed to secure the Counting Places or the ballot papers or other papers within them
- (e) The Presiding Officers' and Returning Officers' Returns were not present when the ballot papers were recounted at Belmont Counting Centre on February 11, 1989 and it was therefore not possible to conduct a proper recount or detect any intervening electoral fraud
- (f) The ballot boxes were insecure in that:
 - (i) false papers could be introduced through the openings thereof
 - (ii) false papers could be introduced or true papers removed through the bottoms thereof
 - (iii) they could be physically breached
 - (iv) the seals were capable of being counterfeited or secretly removed and replaced
 - (v) false ballot boxes could be introduced containing false ballot papers and substituted for genuine ballot boxes or added to the ballot boxes present for the count
- (g) Loose leaf rolls were used which were amenable to tampering and which set to no effect the certification of the rolls for marking and the marked rolls as required by Sections 12 and 150 (2) of the Act.
- (h) Returns for absent and postal votes in electoral districts outside the district were signed in blank.

Whereupon your petitioner prays that it may be determined:

- (1) an inquiry be held pursuant to Section 163 as to the identity of persons admitted to vote who were not entitled to vote and whether their vote were improperly admitted
- (2) that Beggs was not duly elected and the election for the District is absolutely void
- (3) that the petitioner may have such further or other relief as may be just.

P. F. HARROP,
Petitioner.

Witness: L. E. McQUOID.

Name: L. E. McQUOID.

Address: 10/43 Robert Street, Como.

Occupation: Receptionist.

Witness: S. P. BRIDGES.

Name: SHARON PATRICIA BRIDGES.

Address: Lot 29 Chitty Road, Bakers Hill 6562.

Occupation: Student.

Filed in the Central Office of the Supreme Court the 12th day of April 1989 by Mallesons Stephen Jaques, solicitors for the petitioner, whose address for service is Law Chambers, Cathedral Square. Perth WA 6000. Tel: 421 2444.

ELECTORAL ACT 1907

In the Court of Disputed Returns

No. 7 of 1989

IN the Matter of the Election of a Member for the Legislative Assembly for the Wanneroo District. Brian Anthony Cooper, Petitioner. Jacqueline Patricia Watkins, Respondent.

Petition

THE petition of BRIAN ANTHONY COOPER of 10 Mundalla Place, Wanneroo in the State of Western Australia, Business Manager, whose name is subscribed.

Formal

1. On Thursday the 5th day of January 1989 writs were issued for a General Election.
2. The Writ issued for the Wanneroo District ("the District") prescribed:
 - (a) 13th January 1989 as the date of nomination.
 - (b) 4th February 1989 as the date of polling and
 - (c) 3rd March 1989 as the date of the return of the writ
3. On 11th January 1989 the petitioner nominated as a candidate for the District as did also Jacqueline Patricia Watkins of 15 High Road, Wanneroo in the said State ("Watkins") and Peter Rowlands of 4 Dawson Street, Beldon in the said State ("Rowlands") and Henrietta Margaret Waters of 55 St Eves Drive, Yanchepp in the said State ("Waters").
4. On 4th February 1989 a poll took place.
5. Upon the counting of the first preference votes Waters was declared a defeated candidate having received 897 first preference votes as compared with 7 613 for Watkins, 1 169 for Rowlands and 6 997 for the petitioner.
6. Upon the counting of the second preference votes of those persons who had voted for Waters, Rowland was declared a defeated candidate having received 1 444 votes as compared with 7 682 votes for Watkins and 6 870 votes for the petitioner.
7. On 21st February 1989, after distribution of the second preferences of those persons who had voted for Rowland, Watkins was declared elected as member for the District with 8 349 votes as compared with 7 827 votes for the petitioner.

Votes wrongly admitted

8. At the poll:
 - (a) persons who were not qualified to be enrolled, in that they had not lived in the District for which they claimed to be enrolled as an elector for one month last past, and or alternatively
 - (b) persons who no longer lived in the District and who had ceased to live there more than 3 months prior to the election did not have put to them the questions required by sub section 119 (1) paragraphs (b), (c), (d) or (e) of the Electoral Act 1907 ("the Act") nor were they required to declare nor did they make the declaration provided for in Section 119 (4) and were wrongfully permitted to vote.

Bribery

9. On 26 January 1989, after nominations had been officially declared, at Neil Hawkins Park, Joondalup, in the said State, Watkins did supply food, drink and entertainment to electors with a view to influencing the votes of electors thereby committing bribery as defined by section 182 of the Act.

Breach of duty

10. Upon the counting of the postal votes, on 4 February 1989 at Belmont, the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of the Electoral Regulations 1988 (the "Regulations") of postal votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact postal votes were cast by unqualified persons.
11. After the poll on February 6th 1989 and thereafter the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of absent votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact absent votes were cast by unqualified persons.

12. At the counting of the ballot papers for postal and absent votes the Returning Officers failed to place the inner envelopes unopened in a ballot box for the District as required by Regulation 19 and the secrecy of the ballot and purity of the election was thereby impaired.
13. The roll for the District was kept, and the poll and the count were so conducted that:
 - (a) the election for the District was not or was not seen to be a fair election
 - (b) the ballot was not or was not seen to be a secret ballot
 - (c) the purity of the election could not be verified or guaranteed in that if electoral fraud occurred its detection was rendered difficult or impossible and the election could not be seen to be pure
 and the result cannot be safely relied upon as being a fair democratic and honest expression of the electors intentions.

Particulars

- (a) The matters set out in paragraphs 8-12 hereof
- (b) The Returning Officers failed to secure the proper custody of the ballot papers and other documents from the time they were received until their final delivery to the Clerk of the Assembly or The Electoral Commissioner as the case may be
- (c) The Electoral Commission failed to secure the Counting Places or the ballot papers or other papers within them
- (d) The Presiding Officer's and Returning Officer's Returns were not present when the ballot papers were recounted at Belmont Counting Centre on February 11, 1989 and it was therefore not possible to conduct a proper recount or detect any intervening electoral fraud
- (e) The ballot boxes were insecure in that:
 - (i) false papers could be introduced through the openings thereof
 - (ii) false papers could be introduced or true papers removed through the bottoms thereof
 - (iii) they could be physically breached
 - (iv) the seals were capable of being counterfeited or secretly removed and replaced
 - (v) false ballot boxes could be introduced containing false ballot papers and substituted for genuine ballot boxes or added to the ballot boxes present for the count
- (f) Loose leaf rolls were used which were amenable to tampering and which set to no effect the certification of the rolls for marking and the marked rolls as required by Sections 12 and 150 (2) of the Act.
- (g) Returns for absent and postal votes in electoral districts outside the District were signed in blank.

Whereupon your petitioner prays that it may be determined:

- (1) an inquiry be held pursuant to Section 163 as to the identity of persons admitted to vote who were not entitled to vote and whether their votes were improperly admitted
- (2) that Watkins was not duly elected and the election for the District is absolutely void.
- (3) that the petitioner may have such further or other relief as may be just

B. A. COOPER,
Petitioner.

Witness: L. E. McQUOID.

Name: L. E. McQUOID.

Address: 10/43 Robert Street, Como.

Occupation: Receptionist.

Witness: S. P. BRIDGES.

Name: SHARON P. BRIDGES.

Address: Lot 29 Chitty Road, Bakers Hill 6562.

Occupation: Student.

Filed in the Central Office of the Supreme Court the 12th day of April 1989 by Mallesons Stephen Jaques, solicitors for the petitioner, whose address for service is Law Chambers, Cathedral Square, Perth WA 6000. Telephone: 421 2444.

ELECTORAL ACT 1907

In the Court of Disputed Returns

No. 8 of 1989

IN the Matter of the Election of a Member for the Legislative Assembly for the Swan Hills District. Oscar Neil Blackburne Oliver, Petitioner. Gavan John Troy, Respondent.

Petition

THE Petition of OSCAR NEIL BLACKBURNE OLIVER of 21 Stanley Road, Glen Forrest in the State of Western Australia, Member of Parliament, whose name is subscribed.

Formal

1. On Thursday the 5th day of January 1989 writs were issued for a General Election.
2. The Writ issued for the Swan Hills District ("the District") prescribed:
 - (a) 13th January 1989 as the date of nomination
 - (b) 4th February 1989 as the date of polling and
 - (c) 3rd March 1989 as the date of the return of the writ
3. On 13th January 1989 the petitioner nominated as a candidate for the District as did also Gavan John Troy of 44 Talbot Road, Swan View in the said State ("Troy") and Eric Arthur Ridgway of 4 Connor Road Lesmurdie in the said State ("Ridgway")
4. On 4th February 1989 a poll took place.
5. Upon the counting of the first preference votes Ridgway was declared a defeated candidate having received 1 547 first preference votes as compared with 8 532 for Troy and 7 526 for the petitioner.
6. On 15th February 1989, after distribution of the second preferences of those persons who had voted for Ridgway, Troy was declared elected as member for the District with 9 067 votes as compared to 8 538 votes for the petitioner.

Votes wrongly admitted

7. At the poll:
 - (a) persons who were not qualified to be enrolled, in that they had not lived in the District for which they claimed to be enrolled as an elector for one month last past, and or alternatively
 - (b) persons who no longer lived in the District and who had ceased to live there more than 3 months prior to the election

did not have put to them the questions required by sub section 119 (1) paragraphs (b), (c), (d) or (e) of the Electoral Act 1907 ("the Act") nor were they required to declare nor did they make the declaration provided for in Section 119 (4) and were wrongfully permitted to vote.
8. At the poll multiple votes were claimed and cast in the names of persons enrolled on the roll.

Breach of duty

9. Upon the counting of the postal votes, on 4 February 1989 at Belmont, the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of the Electoral Regulations 1988 (the "Regulations") of postal votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact postal votes were cast by unqualified persons.
10. After the poll on February 6th, 1989 and thereafter the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of absent votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact absent votes were cast by unqualified persons.
11. At the counting of the ballot papers for postal and absent votes the Returning Officers failed to place the inner envelopes unopened in a ballot box for the District as required by Regulation 19 and the secrecy of the ballot and purity of the election was thereby impaired.
12. The roll for the District was kept, and the poll and the count were so conducted that:
 - (a) the election for the District was not or was not seen to be a fair election

- (b) the ballot was not or was not seen to be a secret ballot
 - (c) the purity of the election could not be verified or guaranteed in that if electoral fraud occurred its detection was rendered difficult or impossible and the election could not be seen to be pure
- and the result cannot be safely relied upon as being a fair democratic and honest expression of the electors intentions.

Particulars

- (a) The matters set out in paragraphs 7-11 hereof
- (b) At the count of the ballot papers by the Returning Officer pursuant to paragraph 144 (2) (d) of the Act the Returning Officer failed to observe the provisions of paragraph (a) (ii) as required by paragraph (d) (i) in that he did not count the ballot papers received from the Assistant Returning Officers
- (c) The Returning Officers failed to secure the proper custody of the ballot papers and other documents from the time they were cast or received until their final delivery to the Clerk of the Assembly or The Electoral Commissioner as the case may be
- (d) The Electoral Commission failed to secure the Counting Place or the ballot papers or other papers within them.
- (e) The Presiding Officers' and Returning Officers' Returns were not present when the ballot papers were recounted at Belmont Counting Centre on February 11, 1989 and it was therefore not possible to conduct a proper recount or detect any intervening electoral fraud
- (f) The ballot boxes were insecure in that:
 - (i) false papers could be introduced through the openings thereof
 - (ii) false papers could be introduced or true papers removed through the bottoms thereof
 - (iii) they could be physically breached
 - (iv) the seals were capable of being counterfeited or secretly removed and replaced
 - (v) false ballot boxes could be introduced containing false ballot papers and substituted for genuine ballot boxes or added to the ballot boxes present for the count
- (g) Loose leaf rolls were used which were amenable to tampering and which set to no effect the certification of the rolls for marking and the marked rolls as required by Sections 12 and 150 (2) of the Act.
- (h) Returns for absent and postal votes cast in electoral districts outside the District were signed in blank.

Whereupon your petitioner prays that it may be determined:

- (1) an inquiry be held pursuant to Section 163 as to the identity of persons admitted to vote who were not entitled to vote and whether their votes were improperly admitted
- (2) that Troy was not duly elected and the election for the District is absolutely void
- (3) that the petitioner may have such further or other relief as may be just.

O. N. B. OLIVER,
Petitioner.

Witness: L. E. McQUOID.

Name: L. E. McQUOID.

Address: 10/43 Robert Street, Como.

Occupation: Receptionist.

Witness: S. P. BRIDGES.

Name: SHARON P. BRIDGES.

Address: Lot 29 Chitty Road, Bakers Hill.

Occupation: Student.

Filed in the Central Office of the Supreme Court the 12th day of April 1989 by Mallesons Stephen Jaques, solicitors for the petitioner, whose address for service is Law Chambers, Cathedral Square, Perth WA 6000. Tel: 421 2444.

ELECTORAL ACT 1907
In the Court of Disputed Returns
No. 9 of 1989

In the Matter of the Election of a Member for the Legislative Assembly for the Perth District. Kim Desmond Hames, Petitioner. Ian Christopher Alexander, Respondent.

Petition

THE Petition of KIM DESMOND HAMES of 90 Salisbury Street, Inglewood in the State of Western Australia, Medical Practitioner, whose name is subscribed.

Formal

1. On Thursday the 5th day of January 1989 writs were issued for a General Election.
2. The Writ issued for the Perth District ("the District") prescribed:
 - (a) 13th January 1989 as the date of nomination
 - (b) 4th February 1989 as the date of polling and
 - (c) 3rd March 1989 as the date of the return of the writ
3. On 10th January 1989 the petitioner nominated as a candidate for the District as did also Ian Christopher Alexander of 21 Lincoln Street, Highgate in the said State ("Alexander") and Gerrard Taylor of 51 Bradford Street, Menora, in the said State ("Taylor") and Frederick Charles Long of 16 Beechboro Road, Bayswater in the said State ("Long").
4. On 4th February 1989 a poll took place.
5. Upon the counting of the first preference votes Taylor was declared a defeated candidate having received 1 974 first preference votes as compared with 1 023 for Long, 8 305 for Alexander and 7 806 for the petitioner.
6. Upon the counting of the second preference votes for Taylor, Long was declared defeated having received 1 303 votes as compared with 8 488 for Alexander and 8 317 for the petitioner.
7. On 15th February 1989, after distribution of the second preferences of those persons who had voted for Long, Alexander was declared elected as member for the District with 9 263 votes as compared to 8 845 votes for the petitioner.

Votes wrongly admitted

8. At the poll:
 - (a) persons who were not qualified to be enrolled, in that they had not lived in the District for which they claimed to be enrolled as an elector for one month last past, and or alternatively
 - (b) persons who no longer lived in the District and who had ceased to live there more than 3 months prior to the election did not have put to them the questions required by sub section 119 (1) paragraphs (b), (c), (d) or (e) of the Electoral Act 1907 ("the Act") nor were they required to declare nor did they make the declaration provided for in Section 119 (4) and were wrongfully permitted to vote.
9. At the poll multiple votes were claimed and cast in the names of persons enrolled on the roll.

Breach of duty

10. Upon the counting of the postal votes, on 4 February 1989 at Belmont, the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of the Electoral Regulations 1988 (the "Regulations") of postal votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact postal votes were cast by unqualified persons.
11. After the poll on February 6th, 1989 and thereafter the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of absent votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact absent votes were cast by unqualified persons.
12. At the counting of the ballot papers for postal and absent votes the Returning Officers failed to place the inner envelopes unopened in a ballot box for the District as required by Regulation 19 and the secrecy of the ballot and purity of the election was thereby impaired.

13. The roll for the District was kept, and the poll and the count were so conducted that:

- (a) the election for the District was not or was not seen to be a fair election
- (b) the ballot was not or was not seen to be a secret ballot
- (c) the purity of the election could not be verified or guaranteed in that if electoral fraud occurred its detection was rendered difficult or impossible and the election could not be seen to be pure

and the result cannot be safely relied upon as being a fair democratic and honest expression of the electors intentions.

Particulars

- (a) The matters set out in paragraphs 7-11 hereof
- (b) The Returning Officers failed to secure the proper custody of the ballot papers and other documents from the time they were cast or received until their final delivery to the Clerk of the Assembly or The Electoral Commissioner as the case may be.
- (c) The Electoral Commission failed to secure the Counting Place or the ballot papers or other papers within them.
- (d) The Presiding Officers' and Returning Officers' Returns were not present when the ballot papers were recounted at Belmont Counting Centre on February 11, 1989 and it was therefore not possible to conduct a proper recount or detect any intervening electoral fraud.
- (e) The ballot boxes were insecure in that:
 - (i) false papers could be introduced through the openings thereof
 - (ii) false papers could be introduced or true papers removed through the bottoms thereof
 - (iii) they could be physically breached
 - (iv) the seals were capable of being counterfeited or secretly removed and replaced
 - (v) false ballot boxes could be introduced containing false ballot papers and substituted for genuine ballot boxes or added to the ballot boxes present for the count
- (f) Loose leaf rolls were used which were amenable to tampering and which set to no effect the certification of the rolls for marking and the marked rolls as required by Sections 12 and 150 (2) of the Act.
- (g) Returns for absent and postal votes cast in electoral districts outside the District were signed in blank.

Whereupon your petitioner prays that it may be determined:

- (1) an inquiry be held pursuant to Section 163 as to the identity of persons admitted to vote who were not entitled to vote and whether their votes were improperly admitted
- (2) that Alexander was not duly elected and the election for the District is absolutely void
- (3) that the petitioner may have such further or other relief as may be just.

K. D. HAMES,
Petitioner.

Witness: L. E. McQUOID.

Name: L. E. McQUOID.

Address: 10/43 Robert Street, Como.

Occupation: Receptionist.

Witness: S. P. BRIDGES.

Name: SHARON P. BRIDGES.

Address: Lot 29 Chitty Road, Bakers Hill.

Occupation: Student.

Filed in the Central Office of the Supreme Court the 12th day of April 1989 by Mallesons Stephen Jaques, solicitors for the petitioner, whose address for service is Law Chambers, Cathedral Square, Perth WA 6000. Tel: 421 2444.

ELECTORAL ACT 1907

In the Court of Disputed Returns

No. 10 of 1989

In the Matter of the Election of a Member for the Legislative Assembly for the Dianella District. Terence John Tyzack, Petitioner. Keith James Wilson, Respondent.

Petition

THE petition of TERENCE JOHN TYZACK of 22 Wordsworth Avenue, Yokine in the State of Western Australia, Architect, whose name is subscribed.

Formal

1. On Thursday the 5th day of January 1989 writs were issued for a General Election.
2. The Writ issued for the Dianella District ("the District") prescribed:
 - (a) 13th January 1989 as the date of nomination
 - (b) 4th February 1989 as the date of polling and
 - (c) 3rd March 1989 as the date of the return of the writ
3. On 9th January 1989 the petitioner nominated as a candidate for the District as did also Keith James Wilson of 42 Frape Avenue, Yokine in the said State ("Wilson"), John Frederick Greathead of 14/293 McDonald Street, Yokine in the said State ("Greathead") and Alan Eric Jones of 1 Pascoe Street, Karrinyup in the said State ("Jones").
4. On 4th February 1989 a poll took place.
5. Upon the counting of the first preference votes Jones was declared a defeated candidate having received 914 first preference votes as compared with 927 for Greathead, 8 521 for Wilson and 8 177 for the petitioner.
6. Upon the counting of the second preference votes of those persons who had voted for Jones, Greathead was declared a defeated candidate having received 1 290 votes as compared to 8 899 votes for Wilson and 8 350 votes for the petitioner.
7. On 16th February 1989, after distribution of the second preferences of those persons who had voted for Greathead, Wilson was declared elected a member for the District with 9 478 votes as compared with 9 061 votes for the petitioner.

Votes wrongly admitted

8. At the poll:
 - (a) persons who were not qualified to be enrolled, in that they had not lived in the District for which they claimed to be enrolled as an elector for one month last past, and or alternatively
 - (b) persons who no longer lived in the District and who had ceased to live there more than 3 months prior to the election did not have put to them the questions required by sub section 119 (1) paragraphs (b), (c), (d) or (e) of the Electoral Act 1907 ("the Act") nor were they required to declare nor did they make the declaration provided for in Section 119 (4) and were wrongfully permitted to vote.

Breach of duty

9. Upon the counting of the postal votes, on 4 February 1989 at Belmont, the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of the Electoral Regulations 1988 (the "Regulations") of postal votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact postal votes were cast by unqualified persons.
10. After the poll on February 6th, 1989 and thereafter the petitioner and his scrutineer were denied access to the scrutiny conducted pursuant to Regulation 19 of absent votes for the purpose of deciding whether the votes should be admitted to the count and the petitioner lost the opportunity to challenge those persons who were not qualified to vote at the election and in fact absent votes were cast by unqualified persons.
11. At the counting of the ballot papers for postal and absent votes the Returning Officers failed to place the inner envelopes unopened in a ballot box for the District as required by Regulation 19 and the secrecy of the ballot and purity of the election was thereby impaired.

12. The roll for the District was kept, and the poll and the count were so conducted that:
 - (a) the election for the District was not or was not seen to be a fair election
 - (b) the ballot was not or was not seen to be a secret ballot
 - (c) the purity of the election could not be verified or guaranteed in that if electoral fraud occurred its detection was rendered difficult or impossible and the election could not be seen to be pure

and the result cannot be safely relied upon as being a fair democratic and honest expression of the electors intentions.

Particulars

- (a) The matters set out in paragraphs 8-11 hereof
- (b) The Returning Officers failed to secure the proper custody of the ballot papers and other documents from the time they were received until their final delivery to the Clerk of the Assembly or The Electoral Commissioner as the case may be
- (c) The Electoral Commission failed to secure the Counting Places or the ballot papers or other papers within them
- (d) The Presiding Officers' and Returning Officers' Returns were not present when the ballot papers were recounted at Belmont Counting Centre on February 11, 1989 and it was therefore not possible to conduct a proper recount or detect any intervening electoral fraud
- (e) The ballot boxes were insecure in that:
 - (i) false papers could be introduced through the openings thereof
 - (ii) false papers could be introduced or true papers removed through the bottoms thereof
 - (iii) they could be physically breached
 - (iv) the seals were capable of being counterfeited or secretly removed and replaced
 - (v) false ballot boxes could be introduced containing false ballot papers and substituted for genuine ballot boxes or added to the ballot boxes present for the count
- (f) Loose leaf rolls were used which were amenable to tampering and which set to no effect the certification of the rolls for marking and the marked rolls as required by Sections 12 and 150 (2) of the Act.
- (g) Returns for absent and postal votes in electoral districts outside the District were signed in blank.

Whereupon your petitioner prays that it may be determined:

- (1) an inquiry be held pursuant to Section 163 as to the identity of persons admitted to vote who were not entitled to vote and whether their votes were improperly admitted
- (2) that Wilson was not duly elected and the election for the District is absolutely void
- (3) that the petitioner may have such further or other relief as may be just.

T. J. TYZACK,
Petitioner.

Witness: L. E. McQUOID
Name: L. E. McQUOID
Address: 10/43 Robert Street, Como.
Occupation: Receptionist.

Witness: S. P. BRIDGES.
Name: SHARON. P. BRIDGES.
Address: Lot 29 Chitty Road, Bakers Hill.
Occupation: Student.

Filed in the Central Office of the Supreme Court the 12th day of April 1989 by Mallesons Stephen Jaques, solicitors for the petitioner, whose address for service is Law Chambers, Cathedral Square, Perth WA 6000. Telephone: 421 2444.

HEALTH ACT 1911

Health Department of WA,
Perth, 14 April 1989.

116/83.

THE appointment of Mr Alexander Murdoch Barclay as a Health Surveyor to the City of Perth effective from 17 April 1989 is approved.

R. S. W. LUGG,
for Executive Director,
Public Health and
Scientific Support Services.

HEALTH ACT 1911

Health Department of WA,
Perth, 14 April 1989.

8479/88.

THE cancellation of the appointment of Mr Anthony Portelli as a Health Surveyor to the City of Rockingham is hereby notified.

R. S. W. LUGG,
for Executive Director,
Public Health and
Scientific Support Services.

MEDICAL ACT 1894

Health Department of WA,
Perth, 17 March 1989.

50/88.

I, KEITH JAMES WILSON, being the Minister administering the Medical Act 1894, have appointed pursuant to the provisions of Section 4 of the Medical Act 1894, the following persons as members of the Medical Board for the three year period ending 30 June 1992.

Section of Medical Act; Member

4 (1a) (b); Dr S. Levitt
4 (1a) (b); Dr M. M. P. Ryan
4 (1a) (c); Mr E. M. Heenan QC

KEITH WILSON,
Minister for Health.

HEALTH ACT 1911

Health Department of WA,
Perth, 14 April 1989.

214/67.

THE appointments of Ms Cora Catherine Murray and Mr Reginald Gordon Stubbs as Health Surveyors to the Shire of Menzies are approved.

R. S. W. LUGG,
for Executive Director,
Public Health and
Scientific Support Services.

ERRATUM

POISONS ACT 1964

POISONS (SCHEDULED SUBSTANCES) AMENDMENT ORDER (No. 3 1988)

WHEREAS errors occurred in the notice published under the above heading on pages 70, 71 and 72 of *Government Gazette* (No. 6) of 13 January 1989 they are corrected as follows:

Page 70, line 64 delete "LEVAMPHATAMINE" and insert "LEVAMPHETAMINE".

Page 71, line 27 delete "3-METHYLTHIOFENTANYL" and insert "3-METHYLTHIOFENTANYL".

Page 72, line 15 delete "2, 3, 4-TRIMETHOXYAMPHATAMINE" and insert "2, 3, 4-TRIMETHOXYAMPHETAMINE".

HEALTH ACT 1911

CITY OF NEDLANDS

By-Law Relating to Eating Houses

WHEREAS under the provisions of the Health Act 1911 (as amended) a local authority may make by-laws and may amend, repeal or alter any by-laws so made: Now therefore, the Council of the Municipality of Nedlands, being a local authority within the meaning of the Act, and having adopted a Health By-law—Eating Houses made by it and published in the *Government Gazette* of 1 July, 1959, doth hereby resolve to revoke that By-law and make and publish the following By-law.

Part 1 Preliminary
Arrangement

1. This by-law is divided into parts as follows:

Part I—Preliminary, clauses 1 and 2.

Part II—Registration of eating houses and licensing of proprietors, clauses 3-16.

Part III—Requirements applicable to eating houses, clauses 17-26.

Part IV—Exemptions and Penalties, clauses 27 and 28.

Interpretations

2. In this by-law unless the context otherwise requires—

"Act" means the Health Act, 1911, as amended;

"Principal Health Surveyor" means the Principal Health Surveyor of the local authority and includes any person acting in that capacity;

"Health Surveyor" means any person appointed by the local authority to be a health surveyor pursuant to the provisions of the Act;

"licence" means a licence to conduct an eating house granted pursuant to the provisions of this by-law;

"local authority" means the Municipality of the City of Nedlands;

"registered premises" means any premises which are registered as an eating house under this by-law;

"restaurant" means any eating house wherein meals are consumed by the public and does not include tea-rooms or take-away food premises;

"Schedule" means a schedule to this by-law;

“take-away food premises” means any eating house other than a restaurant or tea rooms where meals are prepared and served in a state in which they may be taken away from the eating house and consumed in that state but does not include premises in which meals are prepared and served but not eaten on the premises where those premises also have provision or facilities for meals to be eaten on the premises;

“tea room” means any eating house where the only meals served or prepared for service are tea, coffees and similar beverages, all products of wholesale pastry cooks, sandwiches, buns and bread rolls containing filling which do not require cooking on the premises, toast, salads, cold meats, boiled, scrambled and poached eggs, omelettes, saveloys boiled in water, beef tea, and other extracts or soups, and food supplied in tins or similar containers which need only to be heated to be prepared for service;

“Town Clerk” means the Town Clerk or the Acting Town Clerk of the Municipality of the City of Nedlands;

The terms “eating house”, “meals”, “prescribed date” and “proprietor” shall have the same meanings as are given to them in section 160 of Division 3 of Part V of the Act.

Part II—Registration of Eating Houses and Licensing of Proprietors Classification

3. For the purposes of this by-law eating houses are classified as—

- (1) restaurants;
- (2) take-away food premises; and
- (3) tea rooms.

Prescribed Date

4. The prescribed date for the purposes of section 162 of the Act is the date upon which this by-law comes into operation.

Licenses and Registration

5. No person shall occupy or use any premises, or be concerned in the management or control of any premises, as a restaurant, tea rooms or take-away food premises unless—

- (1) The premises are registered under this by-law as a restaurant tea room or take-away food premises, as the case may be, and
- (2) The proprietor of the premises is the holder of a licence under this by-law authorising him to conduct on the premises the business of a restaurant, tea rooms or take-away food premises, as the case may be.

6. (1) Before any premises are registered under this by-law, the occupier thereof shall make application in the form prescribed in the First Schedule and shall forward the application, together with a plan and specification of the premises which shall show the proposed location of all fixtures, fittings and equipment, together with details of the same, and nominate the number and sex of every person, including the proprietor or proprietors engaged in the preparation, manufacture, processing, cooking or serving of meals, in respect of which the application is made to the Town Clerk.

(2) Should the application be approved the Local Authority shall upon payment by the applicant of the fee prescribed in the Third Schedule, issue to the applicant a certificate of registration in the form prescribed in the Fourth Schedule.

7. (1) Before any licence to conduct a restaurant, tea room or take-away food premises is issued under this by-law, the proprietor of such restaurant, tea room or take-away food premises shall make application to the Town Clerk for a licence in the form prescribed in the Second Schedule.

(2) Should the application be approved the Local Authority shall upon payment by the applicant of the fee prescribed in the Third Schedule, issue to the applicant a licence in the form prescribed in the Fifth Schedule.

(3) Where there are two or more proprietors of an eating house—

- (a) each proprietor shall make application for a licence in the form prescribed in the Second Schedule;
- (b) the licence shall be issued in the joint names of the applicants, but no licence shall be issued unless the Local Authority approves all the applicants; and
- (c) each proprietor named in the licence shall be severally responsible for compliance with all the obligations of a proprietor under the Act and this by-law.

8. (1) With every certificate of registration of premises registered as a restaurant, tea rooms or take-away food premises, and every licence issued to a proprietor shall be signed by the Town Clerk. Every proprietor of registered premises shall keep the certificate of registration and the licence on the registered premises and shall, when requested so to do by a Health Surveyor, produce to him the certificate of registration and also the licence issued to the proprietor in respect of such premises.

(2) The proprietor shall at all times provide and maintain a notice board on which is legibly inscribed in letters 25 mm high, the name of the person licensed to carry on business on the premises, and such notice board shall be fixed and maintained free from obstruction in a prominent position at the entrance of the premises.

9. For the purpose of section 163 of the Act every certificate of registration of an eating house and every licence for the proprietor of an eating house shall be in force from the date of issue thereof until and inclusive of the thirty first day of December next ensuing unless the same be cancelled in the meantime in accordance with the provisions of the Act or the premises cease to be used as a restaurant, tea room or take-away food premises.

10. Applications for the renewal of a certificate of registration of a eating house or a licence for the proprietor of an eating house shall be made annually during the month of December. Such applications shall be in the form prescribed in the First and Second Schedules respectively and shall be accompanied by the fee prescribed in the Third Schedule.

11. Any person who makes a false statement in or in accordance with an application under Clauses 6, 7 or 10 hereof shall be guilty of an offence against this by-law.

12. (1) Where any statement contained in an application for registration of premises under this by-law ceases to be true, the certificate of registration issued pursuant thereto shall forthwith become void and the holder of such certificate shall forthwith deliver up such certificate to the Town Clerk.

(2) If any proposed change in the registered premises would have the effect of making a false statement contained in an application for a certificate of registration of premises under this by-law the occupier of the premises may make application under Clause 6 hereof for a new certificate of registration, and where such application is approved the Council shall, without fee, issue a new certificate on registration accordingly.

13. The fees to be paid to the Local Authority on the registration of premises, on the issuing of a licence and on the renewal of any registration or licence under this by-law shall be those prescribed in the Third Schedule.

14. Where any person holding a licence issued pursuant to this by-law changes his place of abode, he shall within 7 days after such change give notice thereof in writing to the Town Clerk specifying in such notice his new place of abode, and he shall at the same time produce such licence to the Town Clerk, who shall endorse thereon and sign a memorandum specifying the particulars of such change.

15. Where the holder of a certificate of registration of an eating house sells or transfers or agrees to sell or transfer his interest in the registered premises to another person, he shall within 14 days from the date of such sale, transfer or agreement notify the Town Clerk thereof in writing stating the full name, address and occupation of such other person and shall deliver such certificate to the Town Clerk for cancellation.

16. Where the holder of a licence as the proprietor of an eating house ceases to manage and control the premises named in the licence he shall forthwith notify the Town Clerk thereof in writing and shall deliver such licence to the Town Clerk for cancellation.

Part III—Requirements Applicable to Eating Houses
Structural Requirements

17. Without prejudice to the requirements of the Act and of all by-laws and regulations made thereunder for the time being in force the following requirements apply to premises used or occupied as an eating house—

- (1) There shall be provided a kitchen, scullery and food stores to the satisfaction of the Principal Health Surveyor.
- (2) The kitchen of a restaurant shall have a floor area of not less than 16 m² or 25 per cent of the floor area of that portion of the premises in which food is served to patrons, whichever is the greater, and where a cool room, freezer, scullery, food store or cupboard is situated in the same room as the kitchen the floor area occupied by it shall be deemed not to be part of the floor area of the kitchen.
- (3) The kitchen of a tea rooms or take-away food premises shall have a floor area as directed by the Principal Health Surveyor. The floor area shall be assessed following the submission of a plan of the kitchen showing the proposed position and number of all fittings and fixtures therein.

18. The following number of sanitary conveniences shall be provided in the eating house for the sole use of male persons engaged in the preparation, manufacture, processing, cooking or serving of meals—

Number of Males	Number of water closets wash basins	
	water closets	wash basins
1 to 25	1	1
26 to 50	2	2
51 to 75	3	3
76 to 100	4	4
101 to 125	5	5
125 or more	6	6

Number of Males	Number of urinal stalls or minimum urinal length
10 to 30	1 stall or 610 mm
31 to 60	2 stalls or 1.2 m
61 to 90	3 stalls or 1.8 m
91 to 120	4 stalls or 2.4 m
121 or more	5 stalls or 3.0m

19. The following number of sanitary conveniences shall be provided in the eating house for the sole use of female persons engaged in the preparation, manufacture, processing, cooking or serving of meals—

Number of Females	Number of Water Closets wash hand basins	
	Water Closets	wash hand basins
1 to 20	1	1
21 to 40	2	2
41 to 60	3	3
61 to 80	4	4
81 to 100	5	5
101 to 120	6	6
121 or more	7	7

20. In addition to the requirements of Clauses 18 and 19 the following number of sanitary conveniences shall be provided in the eating house for the use of the public—

Floor area of the room or rooms and any outside area where meals are consumed by the public	Male			Female	
	Number of water closets	Number of wash hand basins	Number of urinal stalls or minimum urinal length	Number of water closets	Number of wash hand basins
1 m ² -40 m ²	1	1	1 stall or 610 mm	1	1
41 m ² -80 m ²	1	1	2 stalls or 1.2 m	2	1
81 m ² -120 m ²	2	2	3 stalls or 1.8 m	3	2
121 m ² -160 m ²	2	2	4 stalls or 2.4 m	4	2
161 m ² -200 m ²	3	3	5 stalls or 3.0 m	5	3
201 m ² -240 m ²	3	3	6 stalls or 3.6 m	6	3
241 m ² -281 m ²	4	4	7 stalls or 4.2 m	7	4
281 m ² -320 m ²	4	4	8 stalls or 4.8 m	8	4
321 m ² or more	5	5	9 stalls or 5.4 m	9	5

21. An adequate supply of hot and cold water, soap, nail brushes and clean towels or other approved means of hygienically drying hands shall be provided for the use of persons using sanitary conveniences but no towel shall be provided for common use.

22. A sign shall be provided and maintained at the entrance to each sanitary convenience to indicate for which sex its use is intended.

23. Access for patrons to sanitary conveniences shall not be permitted through a kitchen or room wherein meals are prepared, manufactured, processed, cooked or thawed.

24. A kitchen or room where meals are prepared, manufactured, processed or cooked shall not communicate directly by means of a door, window or other opening with a sanitary convenience.

25. No outside area shall be used in conjunction with an eating house for serving meals to the public unless the whole of the area used for such purpose and a space of 1.2 m beyond it in all directions—

- is paved with impervious material or a material approved by the Principal Health Surveyor;
- has a fall of not less than 1 in 120 to an impervious channel discharging over a trapped gully and properly connected to a drain; and
- the surface of the paving is finished smoothly and evenly so as to afford no lodgment for liquids.

Proprietor's Obligations

26. The proprietor of every eating house shall—

- keep or cause to be kept clean and in good condition and repair the floors, walls, ceiling and all portions of the premises and all fittings, stoves, ranges, utensils, implements, shelves, counters, bins, cabinets, fixtures, sinks, drain-boards, drains, grease-traps, tubs, vessels and things of the like description used on the premises or in connection with the preparation or storage of food thereon.
- Provide all furniture, fixtures, counters, bins, sinks, drain-boards, grease-traps, tubs, vessels, fittings, utensils, implements and things for use on the premises as the Principal Health Surveyor may from time to time direct for the proper conduct of the business.
- Construct and arrange or cause to be constructed or arranged all furniture, fixtures, counters, bins, sinks, drain-boards, tubs, vessels, fittings, utensils and things in every kitchen, serving room and scullery on the premises so that the floor in every such room or place may at all times be kept in a thoroughly clean and sanitary condition.
- Not keep or use any floor covering that is absorbent or in such a condition as to allow the lodgment of dirt thereunder, in any area used for the storage or preparation of food.
- Provide and properly maintain at all times suitable and effective means for keeping and keep every room or compartment of the premises free from dust, rats, mice, cockroaches, flies, spiders, bugs, ants, moths and all other vermin, and if in the opinion of a Health Surveyor effective means and methods of cleansing and eradication of vermin from the premises cannot be carried out effectively while the ordinary business of the establishment is carried on, then the Local Authority may order the temporary closure of the premises to the public until such time as such cleansing and eradication of vermin has been carried out to the satisfaction of the Principal Health Surveyor and the proprietor shall comply with such an order.
- For the purposes of keeping the premises free from rats comply with the provisions of the City of Nedlands Health By-laws and the Model By-laws Series "A" and amendments.
- Keep all portions of the premises free from any unwholesome or offensive odour arising from the premises or the operations carried on thereon.
- Provide, maintain and clean a hood for the exhaust ventilation of every stove, oven, cooking fire, cooking apparatus and similar appliance in accordance with the provisions of the Act and any regulations and by-laws made thereunder.
- Provide and maintain on the premises and in good condition a sufficient number of waste receptacles with closely fitting lids, constructed of galvanised iron or other non-absorbent and non-corrosive material or high density polyethylene carts complying with the local authority's by-laws for the purpose of receiving garbage, waste matter and other refuse arising from the business.
- Comply with any direction from the Local Authority as to the number and type of waste receptacles to be provided on the premises and the place or places where such receptacles shall be kept.

- (11) When required by the Local Authority provide a room for the storage and cleaning of waste receptacles and ensure that such room—
 - (a) is constructed of brick, stone or concrete with the walls rendered and steel trowelled to a smooth even surface;
 - (b) has a concrete floor, graded and drained to a waste outlet to be approved by the Principal Health Surveyor;
 - (c) is ventilated by such means as the Principal Health Surveyor shall direct;
 - (d) is provided with a hose cock connected to the main water supply;
 - (e) is provided with an impervious roof and a flyproof door; and
 - (f) is of a sufficient size to store all waste receptacles used in connection with the eating house.
- (12) Forthwith after garbage, waste matter and other refuse is produced place the same in the waste receptacles provided and kept in accordance with sub-clause (9) and remove or cause the contents of such waste receptacles to be removed from the premises as directed by the Principal Health Surveyor.
- (13) Thoroughly cleanse waste receptacles provided and kept in accordance with sub-clause (9) hereof and renew or repair any or all of the aforesaid receptacles as often as is necessary or when required by a Health Surveyor so to do.
- (14) Cause all tea towels, dish cloths, table linen, place mats and other table coverings to be kept in a clean and sanitary condition.
- (15) Not permit or suffer any table napkin or serviette which has been used as such or for any other purpose by any person to be placed for use by or to be used by any other person unless such table napkin shall have been thoroughly washed and cleansed since it was previously used.
- (16) Provide a hand basin, together with soap, nail brush and disposable hand towels to every kitchen to enable staff to wash their hands.
- (17) Provide and maintain at all times an adequate supply of hot and cold water to every hand basin.
- (18) Not cause, suffer, or permit any hand basin to be used for any purpose other than personal ablutions and shall not install any hand basin under a counter, table, cabinet console or console table.
- (19) Ensure that whenever a hermetically sealed container (not being one made wholly of glass or stoneware) has been opened the entire contents thereof are removed immediately therefrom and not permit the contents to be kept therein.
- (20) Not permit or suffer any food which is unsound, unwholesome, putrescent or weevilled to be used for food or for the preparation of food or meals.
- (21) Cause any food which is or has become unsound, unwholesome, putrescent or weevilled to be immediately withdrawn from sale, stock or use and placed in the waste food garbage bin.
- (22) Provide adequate and efficient means of refrigeration for the preservation of food.
- (23) Remove or cause to be removed any food which has been served to a person or placed on a table occupied by a person and which has not been consumed or removed by him immediately after that person has finished his refreshment and not permit any food so removed to be served again to any other person on the premises but to cause it immediately to be deposited in the waste food garbage bin, but this paragraph does not apply to—
 - (a) any of the following substances—sugar, pepper, salt, mustard, vinegar, sauces, spices or condiments which are contained in receptacles so that the contents cannot be handled;
 - (b) bread which is placed in a receptacle or container of a design which ensures that the contents are handled only when required.
- (24) Not gut, clean or scale any fish on any portion of the premises unless such portion of the premises shall have been constructed for such purpose and approved in writing by the Principal Health Surveyor and shall not store any fish in any kitchen or food store on the premises unless such fish has already been gutted, cleaned, scaled and washed.
- (25) Not allow, permit or suffer any live animal or bird to be kept in or upon any portion of the premises or allow or permit or suffer any animals or bird to be slaughtered and dressed or any poultry, pigeons or game to be plucked in any part of the premises.
- (26) Not allow, permit or suffer the preparation, manufacture, processing cooking, storage, packing or service of any food in an eating house in which any work is carried on that may or is likely to contaminate such food or affect its wholesomeness or cleanliness.
- (27) Provide and maintain a suitable change room for employees if all of one sex, or suitable separate change rooms for each sex with each change room being at least 3m² in area with an additional 0.7m² of area for each male or female persons above usually employed on the premises.
- (28) Not permit or suffer any hat or clothing to be placed or kept in any room open to the public or in any kitchen, scullery or food store provided that patrons may be permitted to hang their hats and coats in any room open to the public.
- (29) Not cause, suffer or permit any food contained in a package, tin or container or any cooking, eating or drinking utensil to be stored in any place other than a cabinet, cupboard or shelf.
- (30) Not use, keep or store or permit to be used, kept or stored any petrol, bottles or containers of liquid petroleum gas, kerosene, benzine, naphtha, alcohol, mineralised or methylated spirit or any volatile liquid (not being an article of food) in any kitchen or room where food is prepared, manufactured, processed, cooked or stored.
- (31) Not permit, suffer or cause to be made or done to or on the registered premises any alteration, addition or other work for any purpose affecting or likely to affect the suitability of the premises for the use specified in the licence granted under this by-law in respect of such premises without the previous consent in writing of the Principal Health Surveyor.

- (32) Not permit, suffer or cause any structural alterations to be made to the premises or any portion thereof without first having obtained permission in writing from the Local Authority.
 - (33) Not permit or suffer a greater number of persons to be accommodated at any one time in any public room on the premises than will allow of a ratio of one person to every 1m² of the available floor area of such room.
 - (34) Not permit to be used for any other purpose any cloth used for drying utensils or other articles used for the consumption of food.
 - (35) Not allow any person to be engaged in the preparation, processing, cooking or serving of meals unless that person is wearing clean, washable or disposable clothing and has a cap which adequately covers the hair.
 - (36) Not suffer or permit any food to be prepared, manufactured, processed, cooked or thawed in any room wherein any water closet or urinal or any wash hand basin for use in connection with the same is situated.
 - (37) Cause all drinking straws to be protected from contamination by flies, dust or other sources.
 - (38) Not cause, suffer or permit any spittoon or any article or thing for like use to be kept on the premises.
 - (39) Cause all food to be at all times protected from the direct rays of the sun, and immediately upon delivery place any perishable food stuffs into a refrigerated cabinet.
27. Exemption may be obtained in writing
- (i) the proprietor of an eating house which was registered as a dining room or tea room under this by-law prior to the prescribed date may apply in writing to the Council for an exemption from complying from one or more of the following clauses 17 (2), 18, 19, 20, 23, 24, 25, 26 (1) and 26 (27);
 - (ii) the Council may in its discretion grant or refuse an exemption under this clause.

Part IV—penalties

28. A person who commits a breach or fails to comply with any of the requirements of this by-law commits an offence and is liable to the penalties as follows:

- (a) a penalty which is not more than \$2 500 and not less than:
 - (i) in the case of a first offence \$250;
 - (ii) in the case of a second offence \$500; and
 - (iii) in the case of a third offence or subsequent offence \$1 250; and
- (b) if that offence is a continuing offence, a daily penalty which is not more than \$250 and not less than \$125.

First Schedule
 HEALTH ACT 1911
 City of Nedlands

APPLICATION FOR REGISTRATION OF AN EATING HOUSE

To: The Town Clerk
 City of Nedlands
 71 Stirling Highway
 Nedlands WA 6009

I,
 (Full name in block letters)

of,
 (full residential address and Phone No.)

being the owner/occupier* of the premises known as
 and situated at.....

(address of business)

being within the district of the City of Nedlands hereby apply for the registration of the premises as an eating house under the provisions of the Health Act 1911 and By-law Relating to Eating Houses made thereunder. The eating house will be a restaurant/tea room/take-away food premises.*

Accompanying this application are—
 plans and specifications of the building;
 the fee prescribed by the By-laws.

The maximum number of persons, including the proprietor, employed or to be employed in the premises is—

- # males;
- # females.

The maximum number of patrons who will be accommodated in the premises at any time is #. Of that number

can be seated at any one time.

The consumption of alcoholic beverages in the premises will/will not* be permitted.

Dated the day of

.....
Signature of applicant.

* Delete whichever is inapplicable

Insert number

Second Schedule
HEALTH ACT 1911
City of Nedlands

APPLICATION FOR LICENCE TO CONDUCT AN EATING HOUSE

To: The Town Clerk
City of Nedlands
71 Stirling Highway
Nedlands WA 6009

I,
(Full name in block letters)

of
(full residential address and Phone No.)

hereby apply for a licence to conduct an eating house in the premises known as
.....(name of business) and
situated at (address of
business), being within the district of the City of Nedlands under the provisions of the Health
Act 1911 and By-law Relating to Eating Houses made thereunder.

The eating house is to be conducted as a restaurant/tea room/take-away food premises*.

Details of my previous experience as the proprietor of an eating house are attached hereto #.

Dated the day of
.....

Signature of applicant.

* Delete whichever is inapplicable.

Attach a statement giving details of previous experience including the name of each eating
house conducted by the applicant and the period during which he conducted it and the type of
the eating house

Third Schedule
Fees Payable

For annual registration of eating house	\$10.00
For issue of an annual licence to a proprietor.....	\$2.00

Fourth Schedule
HEALTH ACT 1911
City of Nedlands

Certificate of Registration of Eating House

This is to certify that the premises known as
and situated at.....
being within the district of the City of Nedlands are registered as an eating house under the
provisions of and for the purposes of the Health Act 1911 and By-law Relating to Eating
Houses made thereunder.

For the purposes of the by-law of the City the eating house is classified as a restaurant/tea
room/take-away food premises.*

The registration of the above premises as an eating house remains in force until the 31st day
of December next following the date of issue of this certificate of registration unless previously
cancelled in accordance with the provisions of the Health Act.

The maximum number of patrons to be accommodated in the premises at any one time is #
and the maximum number able to be seated at any one time is #.

Date of issue:
.....

Town Clerk,
City of Nedlands.

* Delete whichever is inapplicable

Insert number

Fifth Schedule
HEALTH ACT 1911
City of Nedlands

Licence to Conduct an Eating House

.....of.....
is the holder of a licence to conduct an eating house in the premises known as.....and
situated at.....being within the
district of the City of Nedlands under the provisions of and for the purposes of the Health Act
1911 and By-law Relating to Eating Houses made thereunder.

The eating house is to be conducted as a restaurant/tea room/take-away food premises.*

This licence remains in force until the 31st day of December next following the date of issue
thereof unless previously cancelled in accordance with the provisions of the Health Act.

This licence is personal to the proprietor to whom it is issued and is not transferrable or
assignable in any manner or in any event to any other person during the currency thereof
except in accordance with the provisions of the Health Act.

It is a condition upon which this licence is issued and held that the holder thereof will not permit to be accommodated in the eating house at any one time more than the maximum number of patrons specified in the certificate of registration of the eating house for the time being in force issued pursuant to the By-law Relating to Eating Houses of the City.

Date of issue:

.....
Town Clerk,
City of Nedlands.

* Delete whichever is inapplicable

Dated the _____ day of _____

Passed by resolution of the Council of the City of Nedlands at the ordinary meeting held Thursday, 1st September, 1988.

D. C. CRUICKSHANK,
Mayor.

N. G. LEACH,
Town Clerk.

Confirmed—

R. S. W. LUGG,
for Executive Director
Public Health.

Approved by His Excellency the Governor in Executive Council this 18th day of April 1989.

G. PEARCE,
Clerk of Council.

HEALTH ACT 1911

Shire of Broome

PURSUANT to the provision of the Health Act 1911 the Shire of Broome, being a Local Authority within the meaning of the Health Act 1911, having adopted the Model By-laws described as Series "A" made under the Health Act 1911 and as reprinted pursuant to the Reprinting of Regulations Act 1954 in the *Government Gazette* on 17 July 1963 and as amended from time to time, has resolved and determined that the adopted by-laws shall be amended as follows—

Part 1—General Sanitary Provisions

By-law 19 (4)—Disposal of Trade Refuse from Building Sites.

(1) For the purpose of this by-law the following definitions shall apply—

“Occupier”—means a person having the charge management or control of a building site and where two or more persons share or jointly have the charge management or control of a building site, then those persons and each of them.

“Building Site”—means premises on which the construction, structural alteration, or demolition of a building or erection is being undertaken.

(2) The “Occupier” of a Building Site shall—

(a) at all times ensure the provision of containers or enclosures approved by the local authority for the deposit of trade and other refuse whether of light or heavy bulk on the building site.

(b) maintain the building site free from trade and other refuse at all times during the period it shall be a building site by ensuring the use of such containers and enclosures.

(c) take such steps as are necessary to prevent loose materials present on the building site being blown or carried onto properties adjoining the building site.

(d) on completion of construction, structural alteration or demolition of a building or erection, the occupier shall clear the building site of all trade and other refuse to the satisfaction of the local authority and ensure the disposal of such refuse in accordance with the requirements of the local authority.

Passed at the meeting of the Council of the Shire of Broome held on 18th August, 1987.

The Common Seal of the Shire of Broome was here-
unto affixed in the presence of—

[L.S.]

K. A. MALE,
Shire President.

D. L. HAYNES,
Shire Clerk.

Confirmed—

R. S. W. LUGG,
for Executive Director,
Public Health.

Approved by His Excellency the Governor in Executive Council the 18th day of April 1989.

G. PEARCE,
Clerk of the Council.

HEALTH ACT 1911

Shire of Greenough

PURSUANT to the provisions of the Health Act 1911 the Shire of Greenough, being a local authority within the meaning of the Health Act 1911, having adopted the Model By-laws described as Series "A" made under the Health Act 1911 and as reprinted pursuant to the Reprinting of Regulations Act 1954 in the *Government Gazette* on 17 July 1963 and as amended from time to time, has resolved and determined that the adopted by-laws shall be amended as follows.

1. The following by-laws are revoked—

- PART I By-law 69
- PART II By-law 17
- PART IV By-law 25
- PART V By-law 23
- PART VI By-law 21
- PART VII By-law 73
- PART IX By-law 19

2. After Part IX add a new Part X to read as follows:

Part X—Offences
Offences and penalties

1. (1) A person who is required by a provision of Part IV and Part VII to do anything or refrain from doing anything and who fails to comply with that provision commits an offence and is liable to—

- (a) a fine that is not more than \$2 500 and not less than—
 - (i) in the case of a first offence \$250;
 - (ii) in the case of a second offence, \$500;
 - and
 - (iii) in the case of a third or subsequent offence, \$1 250;
 - and
- (b) if that offence is a continuing offence, a daily penalty which is not more than \$250 and not less than \$125.

(2) A person who is required by any provision of these by-laws, other than a provision of Part IV or Part VII, to do anything or refrain from doing anything and who fails to comply with that provision commits an offence and is liable to—

- (a) a fine that is not more than \$1 000 and not less than—
 - (i) in the case of a first offence, \$100;
 - (ii) in the case of a second offence, \$200; and
 - (iii) in the case of a third or subsequent offence, \$500;
 - and
- (b) if the offence is a continuing offence, a daily penalty which is not more than \$100 and not less than \$50.

2. Any expense incurred by the Local Authority in consequence of a breach or non observance of these by-laws or in the execution of work directed to be executed by a person and not executed by him shall be paid by the person committing the breach or non observance or failing to execute the work.

Passed by resolution at a meeting of the Greenough Shire Council held on the twenty fifth day of November 1988.

Dated this twenty eighth day of November 1988.

G. S GARRATT,
President.

W. T PERRY,
Shire Clerk.

Confirmed—

R. S. W. LUGG,
for Executive Director,
Public Health.

Approved by His Excellency the Governor in Executive Council the 18th day of April 1989.

G. PEARCE,
Clerk of the Council.

ROAD TRAFFIC ACT

I IAN FREDERICK TAYLOR, being the Minister for the Crown for the time being administering the Road Traffic Act 1974, acting pursuant to the powers conferred by section 83 (1) of that Act, hereby approve the suspension of regulations made under such act, on the carriageways mentioned hereunder, within the Shire of Augusta-Margaret River and nominated for the purpose of a marathon rally race by members/entrants of the Lions Club of Leeuwin on April 22, 1989, between the hours of 11.00 am and 4.00 pm.

Racing to be strictly confined to Turner Street, Albany Terrace, Leeuwin Road, Ellis Street, Allnut Terrace.

Dated at Perth this 10th day of April 1989.

IAN TAYLOR,
Minister for Police.

ROAD TRAFFIC ACT

I IAN FREDERICK TAYLOR, being the Minister for the Crown for the time being administering the Road Traffic Act 1974, acting pursuant to the powers conferred by section 83 (1) of that Act, hereby approve the suspension of regulations made under such act on the carriageways mentioned hereunder, within the Shire of Swan and nominated for the purpose of roller skating races by members/entrants of the Australian Federation of Amateur Roller Skaters, on April 15/16, 1989, between the hours of 8.00 am-6.00 pm and 8.00 am-4.00 pm respectively.

Racing to be strictly confined to Valley Brook Road.

Dated at Perth this 20th day of March 1989.

IAN TAYLOR,
Minister for Police.

LIST OF MARINE COLLECTOR'S LICENCES

Issued During the Period—1 January 1989 to 31 March 1989

Name; Address; Date; Licence No.	Name; Address; Date; Licence No.
Alferink, John Hilbert; Lot 5 Gnarawary Road, Margaret River; 11/1/89; 247.	Law, Neil Thomas; Lot 866 Tower Street, Gwalia; 12/1/89; 481.
Ashworth, Michael A.; 16A Powell Street, Boulder; 18/1/89; 106.	Lloyd, Rodney John; 7 Kathleen Close, Maida Vale; 12/1/89; 363.
Auslender, Michael; 24 Howes Cres, Dianella; 11/1/89; 219.	Lowe, Ronald Thomas; 86 Cruickshank Street, Mukinbudin; 11/1/89; 331
Barclay, Stephen John; 36 Kitchener Road, Merredin; 29/3/89; 534.	Loy, James Morris; 18 Gillon Street, Karawara; 17/1/89; 512.
Bergin, Rex Patrick; Loc. 1856 Kirk Rock Road, Wickepin; 30/3/89; 317.	Morrison, Raymond; 68 Wright Street, Kewdale; 23/1/89; 94.
Bicknell, Brian L.; 175 Golf Links Road, Albany; 19/1/89; 367.	Mortimer, Lester John; Maddock Street, Mukinbudin; 19/1/89; 526.
Boladeras, Richard C.; c/- Avondale Research Station, Beverley; 23/2/89; 205.	Morton, James Henry; 3 Bannister Road, Boddington; 31/1/89; 377.
Boys, Wayne Alfred; Lot 2054 Archer Street, Broome; 1/2/89; 528.	McCorkhill, Donald; 10 Perina Place, Wilson; 19/1/89; 359.
Brown, Kenneth James; 90 Halverson Street, Morley; 11/1/89; 461.	McCorkhill, Robert E.; 37 Braibrise Road, Wilson; 19/1/89; 407.
Brown, Kevin Walter; 5 Piccadilly Way, Dianella; 19/1/89; 284.	McCubbing, Denis R.; 12 Graham Street, Kondinin; 17/1/89; 228.
Butler, Edwin Alexander; 13 Jeffers Court, Orelia; 19/1/89; 525.	Nelson, John Murray; 16 Gee Street, Lancelin; 19/1/89; 319.
Chapman, John Meldrum; Lion Road, Mt. Helena; 31/1/89; 226.	Nicholls, Tauria; Rottneest Island; 27/2/89; 154.
Chapple, Peter Morley; 6/171 Safety Bay Road, Shoalwater; 3/3/89; 532.	Noble, Robert Stanley; 76 Boakarup Street, Katanning; 11/1/89; 360.
Childe, Graham Herbert; 4 Murphy Street, Quairading; 11/1/89; 138.	Pedro, Charlie; 19 Puertollano Place, Broome; 9/3/89; 422.
Collard, Clifford George; 18 Brindle Street, Coolbellup; 11/1/89; 508.	Phillis, Trevor R.; Grouse Street, Williams; 23/2/89; 345.
Day, Phillip Clarence; 6 Cleaver Street, Carnarvon; 23/1/89; 169.	Pursell, Anthony James; 65 Reynolds Street, Busselton; 17/1/89; 492.
De Cinque, Luigi; 29 Hertha Road, Innaloo; 11/1/89; 375.	Radford, Reg; 35 Joffre Avenue, Paraburdoo; 27/2/89; 353.
Ditchburn, John Herbert; 51 Humerle Way, Spearwood; 14/2/89; 484.	Reynolds, Eric Bruce; 6 Birdwood Street, Mullewa; 12.1.89; 271.
Donovan, John Raymond; 14 Highfield Street, Manjimup; 11/1/89; 139.	Reynolds, Patrick C; 16 Bird Street, York; 11/1/89; 393.
Donovan, Maureen Jean; 60 Townley Street, Armadale; 16/1/89; 524.	Rigby, Harry; 48 Connor Street, Yealering; 23/2/89; 530.
Doyle, Michael Thomas; 20 Stepmoon Street, Avalon; 19/1/89; 418.	Russell, David Sidney; 17 Dowling Place, Orelia; 11/1/89; 350.
Evans, Douglas John; 170 Brede Street, Geraldton; 12/1/89; 44.	Saunders, Moira Jean; 60 Deakin Street, Collie; 11/1/89; 430.
Evans, Gregory Leonard; 172 Brede Street, Geraldton; 12/1/89; 41.	Saunders, David James; 60 Deakin Street, Collie; 11/1/89; 434.
Evans, Leonard Douglas; 235 Durlacher Street, Geraldton; 12/1/89; 43.	Scott, Neville L; 9 Ridley Street, South Hedland; 14/2/89; 479.
Flintoff, Bevis John; 51 Leeuwin Street, Augusta; 19/1/89; 233.	Silverton, Nicholas; 184 Hamilton Street, Queens Park; 19/1/89; 236.
Ford, Cheryl Anne; Devil Creek Road, Gardiner River; 6/2/89; 343.	Skerman, Gregory W.; 8 Teak Way, Maddington; 11/1/89; 295.
Ford, Dennis William; 18 Richard Street, Carnarvon; 23/1/89; 527.	Spagnola, Alfio; 6 The Crescent, Redcliffe, 11/1/89; 292.
Galvin, Patrick C.; 120 Warnbro Beach Road, Warnbro; 29/3/89; 320.	Spanwick, Frederick; 28 Herald Street, Narrogin; 31/1/89; 322.
Gilbellini, John Robert; 31 Cole Street, Manjimup; 10/1/89; 139.	Sylvester, Philip; 74 Iluka Avenue, Denmark; 12/1/89; 478.
Gill, Paul Bernard; 185 Carrington Street, Hilton; 17/1/89; 190.	Tassone, Paul; 17 Alver Street, Doubleview; 10/1/89; 140.
Goldsworthy, Douglas; 2 Slater Street, Goomalling; 10/1/89; 482.	Taylor, Derek William; 92 Leslie Street, Mandurah; 12/1/89; 216.
Graham, Ramona Dawn; Lot 153 Livesy Street, Mundijong; 6/2/89; 529.	Tomkin, Terrence Eric; Lot 58 Howard Road, Today; 10/1/89; 235.
Hawthorne, Michael A.; 19 Morago Crescent, Cloverdale; 23/1/89; 291.	Trestrail, Mervyn James; Karlgarin South Road, Karlgarin; 8/2/89; 200.
Heys, Reginald Keith; 1120 Dulverton Street, Wyndham; 19/1/89; 499.	Trichett, William C.; 77 Hawkins Road, Wanneroo; 12/1/89; 210.
Hick, David Mark; R.M.B. 97, Bremer Bay; 11/1/89; 265.	Van Vessem, Jan Franz; 580 Beach Road, Hammersley; 10/1/89; 155.
Hulland, Julianne M.; Gnowangerup; 11/1/89; 286.	Wachmer, Alan Reg; 6/269 Main Street, Osborne Park; 10/1/89; 341.
Jensen, Ilsa Margaret; Pingaring via Kulin; 27/2/89; 192.	Ward, Brett; Roche Street, Kalannie; 10/1/89; 339.
Jolly, Ronald Alex; 9 Clybucca Place, Armadale; 16/1/84; 523.	Ward, Maxwell Earl; Brynes Road, Wyalkatchem; 10/1/89; 413.
Kay, Julia H.; 49 Grange Road, Nannup; 17/1/89; 388.	Watson, Frank; 4 Cubbine Road, Cunderdin; 20/3/89; 533.
Knight, Derek Ronald; 125 Roe Street, Bridgetown; 27/2/89; 380.	Whyte, Alan Rodger; 36 Richardson Street, Brookton; 11/1/89; 522.
	White, Barry William; 110 Thelma Street, Como; 10/1/89; 45.
	White, Noreen Collette; 110 Thelma Street, Como; 10/1/89; 46.
	Williams, Anthony John; 2 Kellerman Way, Gosnells; 10/1/89; 513.
	Willis, James Ardagh; 41A Goldsmith Street, Bunbury; 10/1/89; 354.
	Wolfenden, William A.; 4 Albert Street, Northam; 10/1/89; 162.

Wyss, Kurt Bruno; 10 Purkiss Street, Cannington; 10/1/89; 505.
 Wyss, Odette Brigitta; 10 Purkiss Street, Cannington; 10/1/89; 506.
 Young, Clive Douglas; 91 Lowood Road, Mt Barker; 10/1/89; 152.

WESTERN AUSTRALIAN MARINE ACT 1982

Restricted Speed Areas—All Vessels

Department of Marine and Harbours,
 Fremantle, 7 April 1989.

ACTING pursuant to the powers conferred by section 67 of the Western Australian Marine Act 1982, the Department of Marine and Harbours, by this notice revokes sub-paragraphs 2 (a) (i), (ii), (iii), paragraphs 4 (a) (iv), (v), (vi) and (vii) in the notice published in the *Government Gazette* on 30 October 1987, relating to restricted speed areas for all vessels on the Swan River.

Provided that this revocation will apply only to craft competing in the 1989 Avon Descent between the hours of 1000 and 1600 on Sunday 6 August 1989 and will not apply to normal traffic.

After 1600 hours on Sunday 6 August 1989, the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 30 October 1987.

G. T. CUNNANE,
 Acting Executive Director.

PORT HEDLAND PORT AUTHORITY

Applications to Lease Land

APPLICATIONS are invited for the lease of Lot 1407 within the Port Hedland Port Reserve. Purpose fuel storage area.

J. R. D. SANDISON,
 General Manager,
 Port Hedland Port Authority,
 PO Box 2, Port Hedland WA 6721.

FISHERIES ACT 1905

Part IIIB—Processing Licences

THE public is hereby notified that I have issued a permit to P. Holmes of Broomehill, to establish a processing establishment to process fish in pursuance of the provisions of section 35C of the Fisheries Act 1905 at Location 7743 Broomehill/Gnowangerup Road, Broomehill subject to the following conditions.

That the processing establishment—

1. Shall comply with the requirements of the Fisheries Act 1905, and all Regulations, Orders in Council, and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for the processing of any species of fish other than koonacs (*Cherax plebejus* and *c. Glaber*) and yabbies (*Cherax destructor-aldibus*) in accordance with these conditions.
3. Shall comply with the requirements of the Health Act 1911.
4. Shall comply with the requirements of any town planning scheme or interim development order gazetted under the provisions of the Town Planning and Development Act 1928, or the Metropolitan Region Town Planning Scheme Act 1959.
5. Shall be registered as an export establishment pursuant to the provisions of the Parliament of the Commonwealth Export Control Act 1982, and Orders made thereunder, more specifically the Prescribed Goods (General) Orders and the Fish Orders, should it be used to process fish for export.
6. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a licence is held under section 39C of the Fisheries Act 1905.

7. Live koonacs and/or yabbies shall not be purchased from any person other than a person authorised under Part V of the Fisheries Act.
8. Shall not be used to process koonacs and/or yabbies other than by cleansing and packing whole.
9. Shall not consign packaged koonacs or yabbies unless each container is marked with the species it contains, the place of packaging and the destination of the consignment.
10. Shall not pack koonacs and yabbies in the same container.
11. The licensee shall lodge with the Fisheries Department, no later than the 15th day of each month, a return of koonacs and/or yabbies processed for the preceding calendar month, specifying the name of the person and the property from which the koonacs and/or yabbies are processed. Where no processing has been undertaken in a particular month a "Nil" return shall be submitted.

B. K. BOWEN,
 Director.

FISHERIES ACT 1905

Part III B—Processing Establishments.

THE public is hereby notified that I have approved an application to transfer the Processing Licence for the establishment at 35 Port Pirie Street, Bibra Lake.

The processing Licence has been transferred from Ideal Seafoods to West State Seafoods.

B. K. BOWEN,
 Director of Fisheries.

FISHERIES ACT 1905

Notice No. 400

376/83.

MADE by the Minister under sections 9 and 11.

Prohibition on taking scallops in Shark Bay

1. I hereby prohibit all persons—
 - (a) from taking scallops by any means of capture in the waters specified in the first schedule at the times specified in the second schedule;
 - (b) other than the class of persons specified in the third schedule from taking scallops by any means of capture in the waters specified in the fourth schedule at all times;
 - (c) from taking scallops by any means of capture in the waters specified in the fifth schedule at the times specified in the sixth schedule; and
 - (d) other than the class of persons specified in the third schedule from taking scallops in the waters specified in the seventh schedule at the times specified in the sixth schedule.

Determination of position by reference to the Australian Geodetic Datum

2. (1) Where, for the purpose of this notice it is necessary to determine a position on the surface of the Earth by geographical coordinates, that position shall be determined on the Australian Geodetic Datum which is defined by an ellipsoid having a semi-major axis (equatorial radius) of 6 378 160 metres and a flattening of 1/298.25 and fixed by the position of the origin being the Johnston Geodetic Station in the Northern Territory of Australia.

(2) The Johnston Geodetic Station referred to in subclause (1) shall be taken to be situated at 25°56'54.5515" south latitude and at 133°12'30.0771" east longitude and to have a ground level elevation of 571.2 metres above the ellipsoid referred to in that subclause.

Revocation

3. Notice No. 327 published in the *Gazette* of 15 April 1988 is cancelled.

First Schedule

All the waters of Shark Bay and the Indian Ocean lying east of longitude 112 degrees 50 minutes east and between latitudes 23 degrees and 27 degrees south.

Second Schedule

From 00.00 hours on 1 January to 1700 hours on 26 May and from 0800 hours on 15 November to 2400 hours on 31 December in each year.

Third Schedule

Licensed professional fishermen using a licensed fishing boat which is specified in a Licence to Engage in a Limited Entry Fishery as being authorised to operate in the Shark Bay Prawn Limited Entry Fishery.

Fourth Schedule

All waters of Shark Bay lying east of a line drawn due north from Cape Peron (North) to a point on the high water mark on the mainland approximately 10 nautical miles south of Point Quobba.

Fifth Schedule

All waters of the Indian Ocean and Shark Bay bounded by a line commencing at the high water mark of Point Whitmore near Carnarvon extending westerly to the high water mark of the northernmost point of Koks Island thence due west to 112 degrees 50 minutes east longitude thence south along 112 degrees 50 minutes longitude to its intersection with 27 degrees south latitude thence east along 27 degrees south latitude to the high water mark on the mainland thence northerly along the high water mark to the starting point.

Sixth Schedule

From 0800 hours in the forenoon to 1700 hours in the afternoon each day.

Seventh Schedule

All waters of the Indian Ocean and Shark Bay bounded by a line commencing at Point Whitmore near Carnarvon extending westerly to the high water mark of the northernmost point of Koks Island thence due west to 112 degrees 50 minutes east longitude thence north along 112 degrees 50 minutes east longitude to its intersection with 23 degrees south latitude thence due east along 23 degrees south latitude thence due east along 23 degrees south latitude to the high water mark on the mainland thence southerly along the high water mark to the starting point.

Dated this thirteenth day of April 1989.

GORDON HILL,
Minister for Fisheries.

CORRIGENDUM

SHIRE OF DANDARAGAN

Department of Land Administration,
Perth, 21 April 1989.

File No. 533/987.

ON page 1023 of the *Government Gazette* dated April 7, 1989, change Road No. 17816 to read 18022.

N. J. SMYTH,
Executive Director.

LAND ACT 1933

Reserves

Department of Land Administration,
Perth, 21 April 1989.

HIS Excellency the Governor in Executive Council has been pleased to set apart as Public Reserves the land described below for the purposes therein set forth.

File No. 633/986.

GERALDTON—No. 40887 (7 755 m²) (Government Requirements). Lot No. 2879, Diagram 88153. (Public Plan Geraldton 15.15, 1:2 000 (Waldeck Street).)

File No. 853/989.

HANN—No. 40930 (400.2256 hectares) (Use and Benefit of Aboriginal Inhabitants) Loc. No. 3, Diagram 88956. (Public Plan Nabberu 1:250 000.)

File No. 2062/986.

CANNING—No. 40938 (143 m²) (Water Supply) Loc. No. 3633, Diagram 88455. (Public Plan Perth 1:2 000 20.19 (Carney Road).)

File No. 1983/984.

FITZROY—No. 40940 (1807.3576 hectares) (Use and Benefit of Aboriginal Inhabitants) Loc. No. 233, Original Plan 17336. (Public Plan Noonkanbah 1:250 000.)

File No. 1312/989.

FITZROY—No. 40941 (1 hectare) (Trigonometrical Station) Loc. No. 234, Original Plan 17336. (Public Plan Noonkanbah 1:250 000.)

File No. 3540/988.

COOLGARDIE—No. 40942 (1006 square hectares) (Recreation and Hallsite) Lot No. 2215, Diagram 88987. (Public Plan Coolgardie 1:2 000 9.12 Cnr. Hunt and Forrest Street.)

File No. 1271/985.

BULARA—No. 40948 (400 hectares) (Use and Benefit of Aboriginal Inhabitants). Loc. No. 78, Reserve Diagram 755. (Public Plan Mt Bannerman 1:250 000.)

N. J. SMYTH,
Executive Director.

AMENDMENT OF RESERVES

Department of Land Administration,
Perth, 21 April 1989.

HIS Excellency the Governor in Executive Council has been pleased to approve, under section 37 of the Land Act 1933 of the amendment of the following reserves—

File No. 2926/86—No. 2320 (Yurabi and Fitzroy Districts) "Public Utility" to exclude that area now comprised in Fitzroy Locations 233 and 235 as surveyed and shown on Original Plan 17336 and of its area being reduced to 752.5702 hectares accordingly. (Plan Noonkanbah 1:250 000.)

File No. 6810/49—No. 23226 (Fitzroy District) "Stock Route Fitzroy Crossing to Nobbys Well" to exclude those portions now comprised in Fitzroy Locations 233, 234 and 235 as surveyed and shown on Original Plan 17336 and of its area reduced to about 43, 513 hectares accordingly. (Plan Noonkanbah 1:250 000.)

File No. 1070/72—No. 31971 (Swan Location 8879) "Recreation" to include Swan Location 11195 (formerly portion of Swan Location 8373 and being Lot 15 on Plan 10457) and of its area being increased to 8629 square metres accordingly. (Plan Perth 1:2 000 10.38 (Sherington Road).)

File No. 3107/986—No. 40113 (Canning Location 3584) "Public Recreation" to include Location 3656 (formerly portion of Canning Location 21 and being Lot 87 on Plan 2903 (1)) and of its area being increased to 9273 square metres accordingly. (Plan Perth 1:2 000 14.11, 15.11 and 15.12 (Beasley Road).)

N. J. SMYTH,
Executive Director.

CANCELLATION OF RESERVES

Department of Land Administration,
Perth, 21 April 1989.

HIS Excellency the Governor in Executive Council has been pleased to approve, under section 37 of the Land Act 1933 of the cancellation of the following reserves—

File No. 6748/912—No. 14536 (Parkerville Lot 169) "Church Site Methodist". (Plan Perth 1:2 000 30.33 (Seaborne Street).)

File No. 4900/925—No. 19362 (Ninghan Location 2338) "School Site". (Plan Wilgie 1:50 000 (Dalwallinu-Kalannie Road).)

File No. 1748/70—No. 32460 (Northcliffe Lots 70 and 71) "Park and Gardens". (Plan Northcliffe 1:2 000 30.08) (Wheatley Coast Road).)

N. J. SMYTH,
Executive Director.

CHANGE OF PURPOSE OF RESERVES

Department of Land Administration,
Perth, 21 April 1989.

HIS Excellency the Governor in Executive Council has been pleased to approve, under section 37 of the Land Act 1933, of the change of purpose of the following reserves—

File No. 1070/72—No. 31971 (Swan Locations 8879 and 11195) being changed from "Recreation" to "Public Recreation". (Plan Perth 1:2000 10.38 (Sherington Road)).

File No. 4052/67—No. 29688 (Nelson Locations 13111 and 13117) being changed from "Gravel" to "Gravel and Parkland Rehabilitation". (Plan Wilgarup S.E. 1:25,000 (South Western Highway)).

N. J. SMYTH,
Executive Director.

PUBLIC WORKS ACT 1902

Sale of Land

838/989.

NOTICE is hereby given that His Excellency the Governor has approved under Section 29B (1) (a) (i) of the Public Works Act, 1902 (as amended) of the sale by public auction or private contract of the land hereinafter described, which was compulsorily taken or resumed under that Act for a public work, namely Goldfields Water Supply—Northam Main and has been used for that public work for a period of ten years or more and being no longer required for that work.

Land

Portion of Northam Town Lot 207 and being the resumed land in Certificate of Title Volume 21 Folio 274.

Dated this 18th day of April 1989.

N. J. SMYTH,
Executive Director,
Department of Land Administration.

LAND ACT 1933

Notice of Intention to Grant a
Special Lease Under Section 116

Department of Land Administration,
Perth, 21 April 1989.

Corres. 792/86.

IT is hereby notified that it is intended to grant a lease of Luman Location 51 to Aboriginal Lands Trust for a term of fifty (50) years for the purpose of "Use and Benefits of Aboriginal Inhabitants".

N. J. SMYTH,
Executive Director.

LOCAL GOVERNMENT ACT 1960

Closure of Streets

WHEREAS the City of Wanneroo has requested the closure of the street hereunder described, viz:

Wanneroo

Case No. 075.

Document No. E. 029341.

W. 1296. All that portion of Burns Beach Road (Road No. 3590) bounded by lines starting from a point situate 66 degrees 17 minutes, 65.07 metres from the southwestern corner of the northern severance of Swan Location 9630 and extending 66 degrees 17 minutes, 409.87 metres; thence 74 degrees 20 minutes, 348.19 metres; thence 174 degrees 56 minutes, 10.56 metres; thence 181 degrees 13 minutes, 10.18 metres; thence 254 degrees 20 minutes, 341.92 metres; thence 246 degrees 17 minutes, 403.96 metres and thence 323 degrees 42 minutes, 20.61 metres to the starting point.

LAND ACT 1933

Additional Special Lease Purpose

Department of Land Administration,
Perth, 21 April 1989.

File No. 792/9868.

HIS Excellency the Governor in Executive Council has been pleased to approve, under Section 116 (14) of the "Land Act 1933" of the purpose "Use and Benefit of Aboriginal Inhabitants" being and additional purpose for which a Special Lease may be granted.

N. J. SMYTH,
Executive Director.

WHEREAS the Town of Kalgoorlie has requested the closure of the street hereunder described, viz:

Kalgoorlie

File No. 2356/981.

K. 982. The whole of the surveyed way now comprised in Kalgoorlie Lot 4836 (Reserve 32742) shown bordered red on Land Administration Diagram 88852. (Public Plan: Kalgoorlie-Boulder 1:2 000 28.38.)

WHEREAS the Shire of Cue has requested the closure of the street hereunder described, viz:

Cue

File No. 2176/988.

C. 1179. All those roads and ways within Big Bell Townsite. (Public Plan: Big Bell Townsite.)

MT MORGANS TOWNSITE

Amendment of Boundaries

Department of Land Administration,
Perth, 21 April 1989.

File No. 870/987.

HIS Excellency the Governor in Executive Council has been pleased to approve, under section 10 of the Land Act 1933 of the amendment of the boundaries of Mt. Morgans Townsite to include the area described in the Schedule hereunder.

Schedule

Mount Morgans Townsite is hereby amended to include portion of Mount Morgans Lot 585 as is shown on page 29A of Department of Land Administration File 870/987.

Land Administration Public Plan—Mt. Morgans Townsite.

WHEREAS the Shire of Serpentine-Jarrahdale has requested the closure of the street hereunder described, viz:

Serpentine-Jarrahdale

Case No. 087; Document No. E016620.

S. 397. All that portion of Doley Road now comprised in the land the subject of Department of Land Administration Office of Titles Diagram 75562. (Public Plan: Peel 1:2 000 21.35, 21.36.)

WHEREAS the Shire of Swan has requested the closure of the street hereunder described, viz:

Swan

File No. 2187/987.

S. 396. All those portions of Spring Park Road, Keane Street, Cosmo Place (Road No. 15453) and Great Northern Highway (Road No. 14) now comprised in the land the subject of Office of Titles Plan 16550. (Public Plan: Perth 1:2 000 21.32, 22.32.)

(This Notice hereby supersedes Road Closure Notice No. S. 396 appearing in the *Government Gazette* dated 23 March 1989, page 819.)

And whereas the Minister has approved these requests, it is hereby declared that the said streets are closed.

N. J. SMYTH,
Executive Director.

CHANGE OF NAME OF STREET

City of Melville

Department of Land Administration,
Perth, 21 April 1989.

File No. 1876/71.

IT is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under Section 10 of the Land Act 1933 of the

change of name of Birdwood Circus to Whittle Court as shown coloured red on the print at page 99 of the Land Administration File 1876/71.

(Public Plan: Perth 1:2000 08.15.)

N. J. SMYTH,
Executive Director.

CHANGE OF NAME OF STREET

City of Bunbury

Department of Land Administration,
Perth, 21 April 1989.

File No. 2452/70.

IT is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under Section 10 of the Land Act 1933 of the change of name of Minnipup Road South to Ocean Drive shown coloured green on the print at pages 99 and 100 of Land Administration File 2452/70.

(Public Plan: Bunbury 40.27 1:2000, Bunbury and Environs PT. 8.6, 8.5 1:10 000.)

N. J. SMYTH,
Executive Director.

L.A. 1689/987

Public Works Act 1902; Local Government Act 1960

NOTICE OF INTENTION TO TAKE OR RESUME LAND

THE Minister for works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902, that it is intended to compulsorily acquire on behalf of the Shire of Denmark under section 17 (1) of that Act, the several pieces or parcels of land described in the schedule hereto for road Purposes, and that the said pieces or parcels of land are marked off and shown coloured pink on the print at page 2 of Land Administration File 1689/987 copies of which may be inspected at the Department of Land Administration, Perth, and at the Office of the Shire of Denmark.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
1.	Donal David John Sheed and Winifred Irene Sheed	D. D. J. Sheed and W. I. Sheed	Portion of Denmark Lot 34 being part of the land held in Certificate of Title Volume 1539 Folio 835	18 m ²

Dated this 21st day of April 1989.

N. J. SMYTH,
Executive Director,
Department of Land Administration.

CONSERVATION AND LAND MANAGEMENT ACT 1984

Management Plan for the Leeuwin-Naturaliste National Park

THE management plan for the Leeuwin-Naturaliste National Park, prepared in accordance with sections 53 to 61 of the Conservation and Land Management Act 1984, was approved by the Hon. David Smith, MLA, Minister for Conservation and Land Management on 24 February 1989. Given its approval the document is recognised as a management plan in accordance with the Conservation and Land Management Act 1984. No modifications were made to the management plan under section 60 (2) of the Act.

Copies of the plan can be inspected at the Department of Conservation and Land Management Woodvale Library, the Bunbury Regional Office and the Busselton District Office, the offices and libraries of the Shires of Busselton and

Augusta-Margaret River and the Environment Centre Library. Copies can be purchased at the Department of Conservation and Land Management Como Office, Bunbury Regional Office and Busselton District Office.

SYD SHEA,
Executive Director.

BUSH FIRES ACT

City of Gosnells

IT is hereby notified for public information that Mr Thomas Pashley has been appointed as Council's Fire Weather Officer.

The appointment of Mr Mervyn Scally is hereby revoked.

D. PARKER,
Assistant Town Clerk.

WATER AUTHORITY ACT 1984

COUNTRY AREAS WATER SUPPLY AMENDMENT BY-LAWS 1989

MADE by the Water Authority of Western Australia with the approval of the Minister for Water Resources.

Citation

1. These by-laws may be cited as the *Country Areas Water Supply Amendment By-laws 1989*.

Principal by-laws

2. In these by-laws the *Country Areas Water Supply By-laws 1957** are referred to as the principal by-laws.

[*Reprinted in the Gazette of 1 May 1968 at pp. 1219-1242. For amendments to 17 March 1989 see pp. 391-393 of 1987 Index to Legislation of Western Australia and Gazettes of 29 June and 14 October 1988.]

By-law 77 amended

3. By-law 77 of the principal by-laws is amended by inserting after sub-by-law (2) the following sub-by-laws—

“ (3) Where a meter is fixed under sub-by-law (1) on a service to—

(a) a unit; or

(b) a common area or facility,

in a multi-unit development, the owner of the land shall pay the fee specified in item 9 of Schedule 2 for the fixing of the meter.

(4) In sub-by-law (3) “multi-unit development” means a development of land consisting of 2 or more strata-titled units for residential or non-residential use. ”

Schedule 2 amended

4. Schedule 2 to the principal by-laws is amended by inserting after item 8 the following item—

“ 9. Fee for fixing of a meter under by-law 77 (3).....\$22.00. ”

By resolution of the Board.

The Seal of the Water Authority of Western Australia
was affixed hereto in the presence of—

R. M. HILLMAN,
Chairman.

H. J. GLOVER
Managing Director.

Approved—

ERNIE BRIDGE,
Minister for Water Resources.

WATER AUTHORITY ACT 1984

METROPOLITAN WATER SUPPLY, SEWERAGE AND DRAINAGE AMENDMENT
BY-LAWS

MADE by the Water Authority of Western Australia with the approval of the Minister for Water Resources.

Citation

1. These by-laws may be cited as the *Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 1989*.

Principal by-laws

2. In these by-laws the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981** are referred to as the principal by-laws.

[*Reprinted in the Gazette of 11 December 1986 at pp. 4557-4800. For amendments to 17 March 1989 see p. 394 of 1987 Index to the Legislation of Western Australia and Gazettes of 19 February, 29 June and 14 October 1988.]

By-law 6.7.1A inserted

3. After by-law 6.7.1 of the principal by-laws the following by-law is inserted—

6.7.1A Fee for installation of meter in certain cases

“ 6.7.1A.1 Where the Authority installs a meter under by-law 6.7.1 on a service to—

(a) a unit; or

(b) a common area of facility,

in a multi-unit development, the owner of the land shall pay the fee specified in item 6 of Schedule C for the installation of the meter.

6.7.1A.2 In by-law 6.7.1A.1 “multi-unit development” means a development of land consisting of 2 or more strata-titled units for residential or non-residential use. ”

Schedule C amended

4. Schedule C to the principal by-laws is amended by inserting after item 5 the following item—

“ 6. Fee for installation of meter under by-law 6.7.1A..... \$22.00. ”.

By resolution of the Board.
The Seal of the Water Authority of Western Australia
was affixed hereto in the presence of—
[L.S.]

R. M. HILLMAN,
Chairman.
H. J. GLOVER,
Managing Director.

Approved—

ERNIE BRIDGE,
Minister for Water Resources.

WATER AUTHORITY ACT 1984

Water Supply—Country
Notice of Authorisation

File MB 84/4.06.
Project W76.032.

THE Water Authority Act 1984, provides that the Minister for Water Resources may authorise the Water Authority to construct or provide major works. Therefore, being satisfied that the preliminary requirements of the Act have been completed, I, Ernie Bridge, Minister for Water Resources, hereby authorise the Water Authority to undertake the following works, namely:

Marble Bar
2 500 Cubic Metre Water Storage Reservoir
Shire of East Pilbara

The proposed works consist of the construction of a roofed, circular reinforced concrete tank of 2 500 cubic metre capacity. The tank will have overall dimensions of

approximately 29.5 metres diameter and 4.2 metres wall height. The top of the tank will be completed to a level of 214.5 metres A.H.D.

The above works are to be complete with all equipment and materials necessary for the undertaking.

All of the proposed works will be wholly located within water supply reserve 32622.

The above works and localities are shown on Plan BN26.

The purpose of the proposed works is to improve the reserve storage and supply pressure for the Marble Bar town water supply.

This Authority to construct and provide the works shall take effect from 17 April 1989.

ERNIE BRIDGE,
Minister for Water Resources.

WATER AUTHORITY OF WESTERN AUSTRALIA

Tenders

Tenders are invited for the projects listed below and will be accepted up to 2.30 p.m. on the closing date specified. Tender documents are available from the Supply Services Branch, Level 2, Entry 4, John Tonkin Water Centre, 629 Newcastle Street, Leederville WA 6007.

Tender documents must be completed in full, sealed in the envelope provided and placed in the Tender Box located at the above Leederville address.

The lowest or any tender may not necessarily be accepted.

Contract No.	Description	Closing Date 1989
MS 90203	Construction of 225 m ³ reinforced concrete circular roofed tank at Wicherina Dam ...	9 May
AS 90612	Wanneroo Reservoir Pond No. 2—joint reseal	2 May
EM 90613	Construction of 2500 m ³ reinforced concrete ground level tank at Dongara-Denison ..	9 May
EM 90614	Construction of Geraldton Regional Water Supply 25 000 m ³ roofed steel tank at Bootenall or 25 000 m ³ roofed prestressed concrete tank at Bootenall, Geraldton ...	16 May
AM 91013	Supply of fluosilicic acid tanks for Canning Dam	2 May
AM 91014	Supply of fluosilicic acid tank for Gwelup Groundwater Treatment Plant	2 May
AM 91015	Supply of low powered transmitters for the measurement of differential pressures	2 May
KM 91017	Supply of UPVC pipe for the extension from Beacon Rock Tank to North Clearing Tank	2 May

H. J. GLOVER,
Managing Director.

WATER AUTHORITY OF WESTERN AUSTRALIA

Accepted Tenders

Tender No.	Project	Contractor	Amount
EM 80632	Harris Dam Pump Station supply and installation of electric motors, secondary resistance starters and exhaust ductwork	Siemens Ltd.....	\$ 287 925
AM 80636	Harris Dam Pump Station supply and installation of pumps	Thompsons Kelly & Lewis.....	458 364
AM 81051	Supply of Nozzle Reflux Valves for Harris Dam Pump Station	Mannesmann Demag Pty Ltd	49 931
KS 90200	Earthworks for wastewater treatment ponds at Jurien Wastewater Treatment Plant	G. I. A. Constructions Pty Ltd	74 560
AS 90201	Manufacture of a fibre reinforced plastic filter unit and installation and subsequent maintenance at Boyanup	R. P. C. Pty Ltd.....	74 358
AM 91002	Supply of penstocks for Perth South Region.....	William Boby & Co.	37 320
AM 91005	Supply of three (3) polyelectrolyte batch mixing assemblies	Allied Colloids (Aust) Pty Ltd	119 550
AM 91010	Supply and Delivery of 1989/90 Charges Brochure	Wescolour Press	Schedule of Prices
AP 92007	Supply of mild steel mortar lined pipes—1989	Tubemakers of Australia	1 301 680
AP 92013	Supply of Class 12 Polyethylene pressure pipe	Vinidex Tubemakers.....	Schedule of Prices

H. J. GLOVER,
Managing Director.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection
City of Bayswater Town Planning Scheme
No. 21—Amendment No. 3

SPC: 853/2/14/25, Pt. 3.

NOTICE is hereby given that the City of Bayswater has prepared the abovementioned scheme amendment for the purpose of—

- (a) Rezoning Lot 1 No. 77-79 Camboon Road, cnr Noranda Place and portion of Lot 2, No. 81 Camboon Road, Noranda from "Residential R17.5" to "Special Purpose".
- (b) Amending "Schedule 1: Special Purpose Zone" of the Town Planning Scheme No. 21 text by inserting:
 - (i) Lot 1 Camboon Road and specifying "Aged Persons Accommodation" as the "only use permitted"
 - (ii) Amending the description of Lot 60 Camboon Road/Thorner Place "Nursery" to Lot 2.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 61 Broun Avenue, Morley and at the State Planning Commission Perth, and will be available for inspection during office hours up to and including June 2, 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before June 2, 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

K. B. LANG,
Town Clerk.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 214 Wright Street, Cloverdale and at the State Planning Commission Perth, and will be available for inspection during office hours up to and including June 2, 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before June 2, 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

E. D. F. BURTON,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Approved Town Planning Scheme Amendment
City of Bunbury Town Planning Scheme
No. 6—Amendment No. 71

SPC: 853/6/2/9, Pt. 71.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Bunbury Town Planning Scheme Amendment on 14 April 1989 for the purpose of amending the density coding applying to all those parts of Crown Reserve 16044 and Bunbury Endowment Lot 670, which are currently coded R12.5, to R.15.

E. C. MANEA,
Mayor.
V. S. SPALDING,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection
City of Belmont Town Planning Scheme
No. 11—Amendment No. 6

SPC: 853/2/15/10, Pt. 6.

NOTICE is hereby given that the City of Belmont has prepared the abovementioned scheme amendment for the purpose of allowing Council to approve an additional dwelling above that normally permitted under the Residential Planning Codes for lots zoned Residential A and coded R25.

The clause to be implemented where in the opinion of Council the existing dwelling needs to be removed.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Approved Town Planning Scheme Amendment
City of Canning Town Planning Scheme
No. 16—Amendment No. 479

SPC: 853/2/16/18, Pt. 479.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City

of Canning Town Planning Scheme Amendment on 13 April 1989 for the purpose of rezoning Nos. 9-11 Lloyd Street (Lot 1003), Cannington from "S.R.3" to "G.R.4 (Restricted)" with Group Housing Criteria (Appendix 4) to apply to development on the land.

S. W. CLARKE,
Mayor.
I. F. KINNER,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection

City of Canning Town Planning Scheme
No. 16—Amendment No. 493

SPC: 853/2/16/18, Pt. 493.

NOTICE is hereby given that the City of Canning has prepared the abovementioned scheme amendment for the purpose of—

- (A) rezoning Portion of Part Lot 410, Nos 20-40 Willeri Drive (Corner Madeira Road), Lynwood, from "S.R.3" to "Showroom/Warehouse, Office and G.R.4" (with Group Housing Criteria (Appendix 4) to apply); and
- (B) altering the details shown against Serial 46 of Appendix 2 (Schedule of Special Zones) so that the land placed in the "Office" zone by A. above may also be used for Showroom/Warehouse purposes.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington and at the State Planning Commission Perth, and will be available for inspection during office hours up to and including June 2, 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before June 2, 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

I. F. KINNER,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection

City of Canning Town Planning Scheme
No. 16—Amendment No. 494

SPC: 853/2/16/18, Pt. 494.

NOTICE is hereby given that the City of Canning has prepared the abovementioned scheme amendment for the purpose of rezoning 13 Tribute Street (Part Lot 635), Shelley from "S.R.2" to "Office".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington and at the State Planning Commission Perth, and will be available for inspection during office hours up to and including June 2, 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before June 2, 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

I. F. KINNER,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection

City of Canning Town Planning Scheme
No. 16—Amendment No. 499

SPC: 853/2/16/18, Pt. 449.

NOTICE is hereby given that the City of Canning has prepared the abovementioned scheme amendment for the purpose of—

- (A) rezoning portion of the Cannington Hotel Site, 1417-21 Albany Highway (Lot 37), from "Hotel" to "Showroom/Warehouse"; and by
- (B) modifying the detail shown against Serial 59 of Appendix 2 to show that a T.A.B. Agency is permitted only in that part of the Cannington Hotel Site actually in the "Hotel" zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington and at the State Planning Commission Perth, and will be available for inspection during office hours up to and including June 2, 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before June 2, 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

I. F. KINNER,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection

City of Fremantle Town Planning Scheme
No. 3—Amendment No. 3

SPC: 853/2/5/6, Pt. 3.

NOTICE is hereby given that the City of Fremantle has prepared the abovementioned scheme amendment for the purpose of correcting typographical mistakes and minor inconsistencies in the Scheme Text.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, William Street, Fremantle and at the State Planning Commission Perth, and will be available for inspection during office hours up to and including May 12, 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 12, 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

M. CAROSELLA,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection

City of Fremantle Town Planning Scheme
No. 3—Amendment No. 14

SPC: 853/2/5/6, Pt. 14.

NOTICE is hereby given that the City of Fremantle has prepared the abovementioned scheme amendment for the purpose of rezoning a portion of Lot 12 Norman Street from "Residence" Zone to "Local Centre" zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, William Street, Fremantle and at the State Planning Commission Perth, and will be available for inspection during office hours up to and including May 19, 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 19, 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

M. CAROSELLA,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Approved Town Planning Scheme Amendment

City of Gosnells Town Planning Scheme
No. 1—Amendment No. 295

SPC: 853/2/25/1, Pt. 295.

IT is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Gosnells Town Planning Scheme Amendment on April 6, 1989 for the purpose of—

1. Rezoning Lots 1285, 1286 and 1287 Canning Location 16, located on the corner of Chamberlain and Verna Streets Gosnells, from 'Urban Deferred' to Residential 'A'.
2. Amending the Scheme Map, rezoning the lots from Urban Deferred to Residential 'A'.

L. G. RICHARDSON,
Mayor.

G. WHITELEY,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Approved Town Planning Scheme Amendments

City of Melville Town Planning Scheme
No. 3—Amendment Nos. 61 and 62

SPC: 853/2/17/10, Pts. 61 and 62.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Melville Town Planning Scheme Amendments on 6 April 1989 for the purpose of—

Amendment No. 61

Amending Clause 4.5.21, Policy 3 by deleting the words "Three contiguous Local Centres" and substitute in lieu thereof "Two contiguous Local Centres at Gibson Street, and Queens Road, Mount Pleasant, and one small Neighbourhood Centre at Cranford Road, Brentwood".

Amendment No. 62

Amending Scheme Map 4 by rezoning Lot 1, Riseley Street from Hotel to City Centre.

J. F. HOWSON,
Mayor.

G. HUNT,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection

City of Gosnells Town Planning Scheme
No. 1—Amendment No. 312

SPC: 853/2/25/1, Pt. 312.

NOTICE is hereby given that the City of Gosnells has prepared the abovementioned scheme amendment for the purpose of rezoning various lots in the Huntingdale and Southern River localities from Urban Deferred to Residential A. Those lots being rezoned comprise the Town Planning Scheme 17 area.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2120 Albany Highway, Gosnells and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 26 May 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 26 May 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

G. WHITELEY,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Approved Town Planning Scheme Amendment

City of South Perth Town Planning Scheme
No. 5—Amendment No. 16

SPC: 853/2/11/7, Pt. 16.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of South Perth Town Planning Scheme Amendment on 14 April 1989 for the purpose of—

Modifying the R Code Density applicable to that portion of Swan Location 41 on Plan 4852 being Lots 419 to 421 inclusive (Street Nos. 30 to 34 inclusive) and Lots 423 to 430 inclusive (Street Nos. 38 to 52 inclusive) Axford Street, Como, from R20 to R30.

J. C. BURNETT,
Mayor.

D. B. ERNST,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection

City of Gosnells Town Planning Scheme
No. 1—Amendment No. 313

SPC: 853/2/25/1, Pt. 313.

NOTICE is hereby given that the City of Gosnells has prepared the abovementioned scheme amendment for the purpose of allowing an additional use "Medical Consulting Rooms and Pharmacy" to Lot 101 cnr Burslem Drive and Albany Highway, Maddington.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2120 Albany Highway, Gosnells and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 2 June 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 2 June 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

G. WHITELEY,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection

Town of Mandurah Town Planning Scheme
No. 1A—Amendment No. 98

SPC: 853/6/13/9, Pt. 98.

NOTICE is hereby given that the Town of Mandurah has prepared the abovementioned scheme amendment for the purpose of rezoning Lots 564 and 566 Murdoch Drive and Lots 563 and 565 Amazone Drive from Residential 1 to Residential 3.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Mandurah Terrace, Mandurah and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 2 June 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 2 June 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

K. W. DONOHOE,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1982

Scheme Amendment Available for Inspection

Town of Mandurah Town Planning Scheme
No. 1A—Amendment No. 110

SPC: 853/6/13/9, Pt. 110.

NOTICE is hereby given that the Town of Mandurah has prepared the abovementioned scheme amendment for the purpose of—

- (a) Rezoning a portion of Part Lot 10, Cockburn Sound Location 16, Gordon Road, Mandurah, from "Future Urban" Zone to "Residential 1" Zone.
- (b) Modifying the Residential Planning Codes Scheme Map to include a Residential Density Coding of R15 over the land subject of this Amendment.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Mandurah Terrace, Mandurah and at the State Planning Commission Perth, and will be available for inspection during office hours up to and including June 2, 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before June 2, 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

K. W. DONOHOE,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection

Shire of Broome Town Planning Scheme
No. 2—Amendment No. 66

SPC: 853/7/2/3, Pt. 66.

NOTICE is hereby given that the Shire of Broome has prepared the abovementioned scheme amendment for the purpose of—

- (1) rezoning vacant Crown land from Residential Zone to Parks and Recreation, Other Reserves (Primary School), and Commercial.
- (2) recoding un-numbered vacant Crown lots from Residential R10/20 to Residential R.50.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Weld Street, Broome and at the State Planning Commission Perth, and will be available for inspection during office hours up to and including June 2, 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before June 2, 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

D. L. HAYNES,
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection

Town of Narrogin Town Planning Scheme
No. 1A—Amendment No. 13

SPC: 853/4/2/9, Pt. 13.

NOTICE is hereby given that the Town of Narrogin has prepared the abovementioned scheme amendment for the purpose of rezoning Narrogin Town Lot North Part 638, Cnr Glyde and Forrest Streets from its existing use "Special Residential" to "Community".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 89 Earl Street, Narrogin and at the State Planning Commission Perth, and will be available for inspection during office hours up to and including June 2, 1989.

Submissions of the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before June 2, 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

P. J. WALKER,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928

Approved Town Planning Scheme Amendment

Shire of Collie Town Planning Scheme
No. 1—Amendment No. 68

SPC: 853/6/8/1, Pt. 68.

IT is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Collie Town Planning Scheme Amendment on April 14, 1989 for the purpose of—

1. By adding to the list of zones in the Legend to the Scheme Map a new zone "Special Rural Zone" and against it a coloured notation to indicate land which is included within that zone under the Scheme, such notation being coloured Rural green with a dark green border.
2. By
 - (i) adding to the list of zones under Clause 3.1 of Part 3 an additional zone—"Special Rural",
 - (ii) by inserting in Table No. 1 (Zoning Table) an additional vertical column to provide for an additional zone entitled "Special Rural Zone", and
 - (iii) by inserting the words "For Permitted Uses see Schedule 1" opposite the use classes in the additional column for the Special Rural Zone.
3. By adding a new Clause under Part 5 after Clause 5.13 as follows:

"5.13A Special Rural Zone: The following provisions shall apply specifically to all land included in the Special Rural Zone in addition to any provisions which are more generally applicable to such land under this Scheme—

- (a) The objective of the Special Rural Zone is to select areas within the rural areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, rural-residential retreats, and agricultural uses requiring small areas of land, and also to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such area.
- (b) The provisions for controlling subdivision, land uses and development relating to specific Special Rural Zones will be as laid down in the Schedule 1 to the Scheme and if deemed necessary

TOWN PLANNING AND DEVELOPMENT ACT 1928

Scheme Amendment Available for Inspection

Shire of Augusta-Margaret River Town Planning Scheme
No. 16—Amendment No. 2

SPC: 853/6/3/16, Pt. 2.

NOTICE is hereby given that the Shire of Augusta-Margaret River has prepared the abovementioned scheme amendment for the purpose of rezoning a portion of Sussex Location 934 Bussell Highway from Rural to Caravan Park.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Town View Terrace, Margaret River and at the State Planning Commission Perth, and will be available for inspection during office hours up to and including June 2, 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before June 2, 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

K. S. PRESTON,
Shire Clerk.

future subdivision will accord with the Plan of Subdivision for the specified area referred to in the Schedule and such Subdivision Guide Plan shall form part of the Scheme.

Before making provision for a Special Rural Zone a submission shall be prepared supporting the creation of the Special Rural Zone and such submission shall include:

- (i) A statement as to the purpose or intent for which the zone is being created.
 - (ii) The reasons for selecting the particular area the subject of the proposed zone with particular reference as to how this relates to Council and Regional Rural Planning Strategies applying to the area.
- (c) The Scheme provisions for a specific Special Rural Zone shall specify:
- (i) The facilities which the purchasers of the lots will be required to provide (e.g. their own potable water supply, liquid and solid waste disposal system, etc.).
 - (ii) Proposals for the control of land uses and development which will ensure that the purpose of intent of the zone and the rural environment and amenities are not impaired.
 - (iii) Any special provisions appropriate to secure the objectives of the zone.
 - (iv) A Subdivision Guide Plan where deemed necessary.
- (d) Subdivision Guide Plan: The Scheme provisions for a specific Special Rural zone may require a Subdivision Guide Plan and such a plan shall show:
- (i) The proposed ultimate subdivision including lot sizes, dimensions and if required building envelopes.
 - (ii) Areas to be set aside for public open space, pedestrian accessways, horse trails, community facilities etc. as may be considered appropriate.
 - (iii) Those physical features it is intended to conserve.
 - (iv) The proposed staging of subdivision where relevant.
- (e) Lots and Lot Sizes: All subdivision plans shall be prepared so that lot sizes generally conform to a preferred minimum lot size of 3 hectares.
- Where the land is steeper, or contains other development constraints, larger lot sizes will be appropriate.
- Battleaxe blocks should, as a general guide, not be in excess of 5% of the proposed subdivision. Adjoining battleaxe legs shall contain one shared accessway sealed for the entire length and width of the shared portion.
- The Council shall have the right to vary the above matters in situations where it is considered appropriate to do so.
- (f) Road Standards: The subdivider shall provide a bitumen standard to all roads created within the Special Rural Zone. The width of the roads may be variable as agreed between the subdivider and the Council.
- Engineering drawings for road standards are to be prepared by the developers at their cost and submitted to the council for approval.
- Alternative bush fire escape routes must be allowed for in all developments and the associated standards applicable may be set by Council policy.

- (g) **REMOVAL OF VEGETATION:** In order to protect the aesthetic amenity of the locality, the authorization of Council is required in addition to the approval of the Water Authority of Western Australia before any vegetation shall be removed. The authorization of Council is not required in the case of vegetation which is to be removed to make way for housing construction, boundary fences, fire breaks and constructed accessways. A Water Authority approval is required in all cases.
- (h) **ADDITIONAL TREE PLANTING:** Council may specify the planting of trees and thereafter such trees shall be maintained to the satisfaction of Council and shall not be removed without the approval of Council and the Water Authority. All re-vegetation is to consist of local native species.
- (i) **BUFFER ZONES:** 10 metre buffer zones fronting main roads shall be allowed for in all developments with the insistence upon owners that the areas be planted with trees for screening purposes. The land is to remain under the ownership of individual land owners and is to be fully maintained by them.
- (j) **PUBLIC OPEN SPACE:** Public Open Space where required along the river foreshore shall be fenced off at cost to the developer and shall be of a standard that clearly defines the reserved area.
- (k) **BUSHFIRE PROVISIONS AND FIRE FIGHTING WATER SUPPLIES:** Water tank systems shall be established within each lot to be subdivided for the purpose of supplying fire fighting units. Overhead filling devices are to be installed and must be independent of electrically driven pumps.
- Hard standing for fire vehicles is required at water filling points.
- Other matters relating to bush fire control provisions shall be adhered to in accordance with Policies as set down by the Council or as required by the Bush Fires Board.
- (l) **DAMS AND SOAKS:** The construction of dams or soaks shall not proceed until Planning approval of the Council has been issued.
- All dams and soaks must be constructed to provide ready access to the edge of the dam or soak for fire fighting tenders to allow for the refilling of water tanks in emergencies.
- All surplus spoil from dams or soaks shall be either levelled or removed from the surrounding area.
- (m) **LAND MANAGEMENT:** All land shall be managed to the satisfaction of Council in such a way as to prevent soil erosion and to maintain the amenity of the area, and notwithstanding anything elsewhere contained Council may take any appropriate action necessary to reduce or eliminate adverse effects on the environment caused solely or partly by stocking of animals or development on any lot.
- (n) **KEEPING OF ANIMALS:** A total of two (2) only animals may be kept on individual lots unless express approval of the Council has been given to the contrary. The types of animals to be kept include cattle, horses, pigs, goats, sheep, and such other animals as the Council may from time to time determine.

Stocking rates in excess of those mentioned above are at the sole discretion of the Council. Written application for variance to stocking rates shall be made to the Council.

- (o) **FENCING:** The Council may permit developers to retain existing boundary or internal fences provided that they generally conform to Council's Fencing Policy. New internal or external fences may be erected by developers or landowners and the standard of fencing shall be to the standards as set down by Policy of the Council.

All allotments proposed for the keeping of stock shall be fenced with stockproof fencing in accordance with Council's Policy.

- (p) **PLANNING & BUILDING PLAN APPROVALS:** Planning approval is to be sought and building plans are to be submitted to the Council for all structures proposed on subdivision lots. All structures shall be contained within the building envelopes unless express approval of Council is given to the contrary.

- (q) **HOUSING AND TEMPORARY ACCOMMODATION:** Not more than one private dwelling house per lot shall be erected. Temporary and "granny flat" accommodation as defined by the Council may be allowed within the Special Rural Zone subject to Council approval. Applicants shall, at all times, strictly adhere to the Housing and Temporary Accommodation Policies as set down by the Council.

- (r) **ADVICE TO PURCHASERS:** Owners of land zoned Special Rural are required to supply purchasers within a copy of the provisions of the Shire of Collie Planning Scheme No. 1 relating to Special Rural Zones. "Offer and Acceptance" Forms as used by Real Estate Agents shall be clearly marked to the effect that the land is offered and sold subject to the conditions of Council's Town Planning Scheme—Special Rural Subdivision Zones and associated Policies.

- (s) In addition to such other provisions of the Scheme as may affect it, any land which is included in a Special Rural Zone shall be subject to those provisions as may be specifically set out against it in Schedule 1 entitled "Special Rural Zones—Provisions Relating to Specified Areas".

- (t) Notwithstanding the provisions of the Scheme and what may be shown in the Subdivision Guide Plan the Commission may approve a variation to the subdivisional design but further breakdown of the lots so created will be deemed to be contrary to the provisions of the Scheme.

- (u) Where water is stored in a dam, the dam should be constructed so that water does not pond outside the property boundary. Further, it will be necessary for landowners to allow for the riparian rights of other downstream users. These rights must be maintained under the Rights in Water and Irrigation Act and have to be taken into account in any evaluation of available water.

4. By adding Schedule 1 to the Scheme Text entitled "Special Rural Zones-Provisions Relating to Specified Areas" as set out hereunder.

Schedule

Special Rural Zones—Provisions Relating to Specified Areas

(a) Specified Area of Locality	(b) Special Provisions to Refer to (a)
Special Rural Zone 1: Wellington Location 2798 (Harris River Road Special Rural Zone)	<p>1. Subdivision of Special Rural Zone No. 1 shall be generally in accordance with Plan of Subdivision No. 1 (Harris River Road Special Rural zone).</p> <p>2. (a) The following uses are permitted ("P") subject to compliance with the provisions of this scheme: Dwelling House provided that there shall be no more than one on an allotment. (b) The following users are not permitted unless approval is granted by Council: Commercial Rural Use, Dams and Constructed Soaks, Home Occupation, Institutional Home, Granny Flat, keeping of more than two animals as specified in clause 5.13A (n), Nursery, Public Assembly, Public Recreation, Public Utility, Public Worship, Residential Building, Rural Use, Stable. The Council may if it considers it desirable to do so require that the procedures laid down in clause 3.3 for "AA" users be followed. (c) All other users are not permitted ("X").</p> <p>3. No dwelling shall be constructed or approved for construction unless a water storage tank of minimum capacity of 92 000 litres is incorporated into the approved plans or the lot is connected to an approved water supply, and no dwelling shall be occupied unless such a supply is operating.</p> <p>4. Waste disposal shall be the responsibility of the landowner and shall be affected by liquid and solid waste disposal systems of specifications to the satisfaction of Council.</p> <p>5. The land is subject to the clearing control guidelines covering the Wellington Dam catchment and purchasers of lots will be constrained in the clearing of indigenous vegetation. A licence will be required for all clearing other than those situations for which a licence is no longer required as detailed in the document, "Water Authority of Western Australia, Country Areas Water Supply Act 1847-1984, Guidelines for the Granting of Licences to Clear Indigenous Vegetation, December 1985". Advice should be sought from the Water Authority of Western Australia on this matter.</p>

Special Rural Zones—Provisions Relating to Specified Areas

(a) Specified Area of Locality	(b) Special Provisions to Refer to (a)
	6. No part of any on-site effluent disposal system shall be located less than 100 metres from any water course without the consent of the Environmental Protection Authority, the Health Department of Western Australia and the Council.

R. PILATTI,
Mayor.

I. MIFFLING,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928
Scheme Amendment Available for Inspection
Shire of Cranbrook Town Planning Scheme
No. 2—Amendment No. 1

SPC: 853/5/6/2, Pt. 1.

NOTICE is hereby given that the Shire of Cranbrook has prepared the abovementioned scheme amendment for the purpose of changing the symbol for Transport Depot in the Zoning Table of the Scheme Text from an "X" to "SA" for the Rural Zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Gathorne Street, Cranbrook and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 2 June 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 2 June 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

P. F. SHEEDY,
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928
Approved Town Planning Scheme Amendment
Shire of Stirling District Planning Scheme
No. 2—Amendment No. 79

SPC: 853/2/20/34, Pt. 79.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on 13 April 1989 for the purpose of—

1. Rezoning Lot 759, corner Weaponness Road and Euston Street, Wembley Downs from "Low Density Residential R20" to "Special Use Zone—Consulting Rooms—Group Practice".
2. Altering Schedule II of the Scheme by the addition thereto of the following—

Weaponness Road, Wembley Downs	Portion of Swan Location 3174 and being Lot 759 on Plan 6029	Consulting Rooms Group Practice
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J. McNAMARA,
Mayor.

R. FARDON,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928
Approved Town Planning Scheme Amendment
City of Stirling District Planning Scheme
No. 2—Amendment No. 81

SPC: 853/2/20/34, Pt. 81.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on 6 April 1989 for the purpose of—

1. Rezoning Lots 2 and 3, Loc. 8574, Almadine Drive, Carine from "Special Use Zone Consulting Rooms—Group Practice" to "Special Use Zone—Medical Centre".
2. Altering Schedule 2 of the Scheme by including the following—

Almadine Drive	Portion of Swan Loc. 8574 and being Lots 2 and 3.	Medical Centre
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J. McNAMARA,
Mayor.

R. FARDON,
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928
Scheme Amendment Available for Inspection
Shire of Williams Town Planning Scheme
No. 2—Amendment No. 5

SPC: 853/4/32/2, Pt. 5.

NOTICE is hereby given that the Shire of Williams has prepared the abovementioned scheme amendment for the purpose of rezoning Lots 16, 17 and 18 Albany Highway, Williams from Residential zone to Commercial zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Brooking Street, Williams and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 2 June 1989.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 2 June 1989.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

B. L. SPRAGG,
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928
Approved Town Planning Scheme Amendment
Shire of Wyndham-East Kimberley Town Planning Scheme
No. 5—Amendment No. 4

SPC: 853/7/5/7, Pt. 4.

IT is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Wyndham East-Kimberley Town Planning Scheme Amendment on April 6, 1989 for the purpose of rezoning Lot 100 Great Northern Highway from 'Public Open Space' Reserve to 'Rural' Zone.

S. BRADLEY,
President.

M. BROWN,
Shire Clerk.

METROPOLITAN REGION TOWN PLANNING
SCHEME ACT 1959

Metropolitan Region Scheme

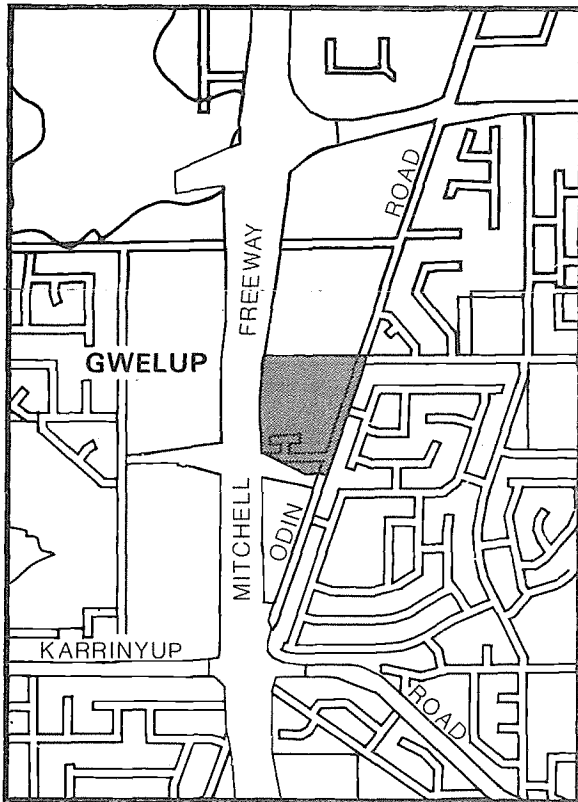
Notice of Resolution—Clause 27

Lifting of Urban Deferment—Lots 10 and 11 Odin Drive,
Stirling

Amendment No. 766/27, File No. 812-2-20-7.

NOTICE is hereby given that in accordance with Clause 27 of the Metropolitan Region Scheme, the State Planning Commission on 1 March 1989 transferred from the Urban Deferment Zone to the Urban Zone the area shown stippled in the Schedule hereto.

GORDON G. SMITH,
Secretary,
State Planning Commission.



APPENDIX A
REPORT No. MPC/672

 URBAN

PART OF METROPOLITAN REGION SCHEME
MAP 15

METROPOLITAN REGION TOWN PLANNING
SCHEME ACT 1959

Metropolitan Region Scheme

Notice of Proposed Amendment

Luisini Winery—Rural Zone to Parks and Recreation Reser-
vation—City of Wanneroo

Amendment No. 658/33A, File No. 833-2-30-47.

THE State Planning Commission proposes to amend the Metropolitan Region Scheme (the Scheme) in accordance with the provisions of section 33A of the Metropolitan Region Town Planning Scheme Act 1959. A description of the proposed Amendment is contained in the First Schedule hereunder.

Please note that the proposed Amendment does not, in the opinion of the State Planning Commission, constitute a substantial alteration to the Scheme and a certificate to this effect is outlined in the Second Schedule hereunder.

Copies of the map sheet(s) depicting that part of the Scheme map which is being amended are available for public inspection during normal business hours at the places listed in the Third Schedule hereunder.

Anyone wishing to make a submission on any aspect of the proposed Amendment (whether in support or against) may do so in writing to the Minister for Planning on the form entitled Submission—Section 33A. Forms are available at the places where the proposed amendment is open for public inspection.

Submissions are to be lodged in duplicate with—

The Town Planning Appeal Committee,
“Hyatt Centre”,
87 Adelaide Terrace,
Perth 6000.

on or before 4.00 pm, Friday, 23 June 1989.

GORDON G. SMITH,
Secretary,
State Planning Commission.

First Schedule

Proposed Amendment

The Metropolitan Region Scheme is proposed to be amended by substituting the zones and reservations shown on Amending Map Sheet Number 11/28M for the corresponding parts of Metropolitan Region Scheme Map Sheet Number 11.

The purpose of the Amendment is to preserve the historical value of Luisini Winery, and develop the site as a tourist/recreation venue as part of the overall Parks and Recreation concept for the land and environs.

The effect of the Amendment is to exclude Lots 41-45 Lakeway Drive from the Rural Zone and include them in the Parks and Recreation Reservation.

The proposed Amendment Number 658/33A is depicted on Plan Number 3.0552 dated March 1, 1989.

Second Schedule
Certificate

In accordance with the provisions of section 33A of the Metropolitan Region Town Planning Scheme Act 1959, the State Planning Commission hereby certifies that, in the opinion of the Commission, the proposed Amendment to the Metropolitan Region Scheme Map Sheet Number 11 as depicted on Amending Map Sheet Number 11/28M does not constitute a substantial alteration to the Metropolitan Region Scheme.

The Common Seal of the State Plan-
ning Commission was hereunto
affixed in the presence of—

W. A. MCKENZIE,
Chairman.

GORDON G. SMITH,
Secretary.

Third Schedule

Public Inspection (during normal business hours)

1. Office of the State Planning Commission, 8th Floor, Oakleigh Building, 22 St. George's Terrace, Perth WA 6000.
2. Office of the Municipality of the City of Wanneroo, Boas Avenue, Joondalup 6027.
3. J. S. Battye Library, Alexander Library Building, Cultural Centre, Francis Street, Northbridge 6000.

METROPOLITAN REGION TOWN PLANNING
SCHEME ACT 1959

Metropolitan Region Scheme
Notice of Proposed Amendment

Wittenoom Road—High Wycombe—Rural to Urban

Amendment No. 762/33A, File No. 833-2-24-34.

THE State Planning Commission proposes to amend the Metropolitan Region Scheme (the Scheme) in accordance with the provisions of section 33A. A description of the proposed Amendment is contained in the First Schedule hereunder.

Please note that the proposed Amendment does not, in the opinion of the State Planning Commission, constitute a substantial alteration to the Scheme and a certificate to this effect is outlined in the Second Schedule hereunder.

Copies of the map sheet(s) depicting that part of the Scheme map which is being amended are available for public inspection during normal business hours at the places listed in the Third Schedule hereunder.

Anyone wishing to make a submission on any aspect of the proposed Amendment (whether in support or against) may do so in writing to the Minister for Planning on the form entitled Submission—Section 33A. Forms are available at the places where the proposed amendment is open for public inspection.

Submissions are to be lodged in duplicate with—

The Town Planning Appeal Committee,
“Hyatt Centre”,
87 Adelaide Terrace,
Perth 6000.

on or before 4.00 pm, Friday, 23 June 1989.

GORDON G. SMITH,
Secretary,
State Planning Commission.

First Schedule
Proposed Amendment

The Metropolitan Region Scheme is proposed to be amended by substituting the zones and reservations shown on Amending Map Sheet Number 16/95M for the corresponding parts of Metropolitan Region Scheme Map Sheet Number 16.

The purpose of the Amendment is to provide additional land to facilitate future requirements for residential development.

The effect of the Amendment is to exclude land bounded by Wittenoom and Kalamunda Roads and Midland-Welshpool Railway, High Wycombe, Shire of Kalamunda from the Rural Zone and include them in the Urban Zone.

The proposed Amendment Number 762/33A is depicted on Plan Number 4.1010 dated 8 February 1989.

Second Schedule
Certificate

In accordance with the provisions of section 33A of the Metropolitan Region Town Planning Scheme Act 1959, the State Planning Commission hereby certifies that, in the opinion of the Commission, the proposed Amendment to the Metropolitan Region Scheme Map Sheet Number 16 as depicted on Amending Map Sheet Number 16/95M does not constitute a substantial alteration to the Metropolitan Region Scheme.

The Common Seal of the State Planning Commission was hereunto affixed in the presence of—

[L.S.]

W. A. McKENZIE,
Chairman.
GORDON G. SMITH,
Secretary.

Third Schedule

Public Inspection (during normal business hours)

1. Office of the State Planning Commission, 8th Floor, Oakleigh Building, 22 St. George's Terrace, Perth 6000.
2. Office of the Municipality of the Shire of Kalamunda, 2 Railway Road, Kalamunda 6076.
3. J. S. Battye Library, Alexander Library Building, Cultural Centre, Francis Street, Northbridge 6000.

METROPOLITAN REGION TOWN PLANNING
SCHEME ACT 1959

Metropolitan Region Scheme—Section 33A—Amendment
Notice of Approval

Reduction of Important Regional Road Reservation Width
for Patterson Road, Rockingham

Amendment No. 743/33A, File No. 833-2-28-27.

PLEASE note that the Minister for Planning, in accordance with the provisions of section 33A (7) of the Metropolitan Region Town Planning Scheme Act 1959, has approved without modifications the proposed Amendment to the Metropolitan Region Scheme, described in the First Schedule hereto.

Copies of the map sheet depicting the Amendment approved by the Minister without modifications are available for public inspection, during normal business hours at the places listed in the Second Schedule hereto.

The Amendment as approved shall have effect as from the date of publication of this notice in the *Gazette*.

GORDON G. SMITH,
Secretary,
State Planning Commission.

First Schedule

Approved Amendment (without modifications)

The Metropolitan Region Scheme is amended by substituting the zones and reservations shown on Amending Map Sheet Number 27/19M for the corresponding parts of the Metropolitan Region Map Sheet Number 27.

The approved Amendment is depicted on State Planning Commission Plan No. 4.0998.

Notice of the proposal was first published in the *Gazette* on 30 December 1988.

Second Schedule

Public Inspection (during normal business hours)—

1. Office of the State Planning Commission, 8th Floor, Oakleigh Building, 22 St George's Terrace, Perth 6000.
2. Office of the Municipality of the Shire of Rockingham, Council Avenue, Rockingham 6168.
3. J. S. Battye Library, Alexander Library Building, Cultural Centre, Francis Street, Northbridge 6000.

SHIRE OF NUNGARIN

STATEMENT OF INCOME AND EXPENDITURE FOR
THE YEAR ENDED 30 JUNE 1988

	Income	Expenditure
	\$	\$
General Purpose Income	265 298	—
General Administration	14 849	86 450
Law, Order and Public Safety	199	2 340
Education	—	—
Health	5	2 423
Welfare	20 214	25 444
Community Amenities	5 611	9 993
Recreation and Culture	33 841	111 312
Transport	221 926	278 070
Economic Services	2 066	2 577
Other Property and Services	14 531	62 328
Fund Transfers	—	—
Finance and Borrowing	3 096	22 749
	581 636	-603 686
Credit Balance at 1/7/87	17 344	—
Debit Balance at 30/6/88	4 706	—
	603 686	603 686

Assets	\$
Current Assets—	
Municipal Fund.....	37 177.07
Non Current Assets—	
Trust Fund Bank.....	9 131.57
Loan Fund Bank.....	—
Reserve Fund Bank.....	7 330.97
Deferred Assets—	
Pensioner Deferred Rates.....	411.20
Fixed Assets—	
Municipal Fund.....	731 703.94
	785 754.75
LIABILITIES	
	\$
Current Liabilities—	
Municipal Fund.....	42 981.97
Non Current Liabilities—	
Trust Fund.....	—
Municipal Fund.....	9 131.57
Deferred Liabilities—	
Municipal Fund.....	94 373.33
	146 486.87
SUMMARY	
	\$
Total Assets.....	785 754.75
Less Total Liabilities.....	146 486.87
Capital Accumulation Account 30 June 1988.....	639 267.88

We hereby certify that the figures and particulars contained in these Statements are correct.

P. J. VARRIS,
Shire Clerk.
R. R. CREAGH,
President.

Shire of Nungarin Audit Report
A. Financial Statements—
(i) We have audited the accompanying accounts of the Shire of Nungarin comprising schedules 1 to 16 and 20 to 25 for the year ended 30 June 1988, in accordance with the requirements of the Local Government Audit Directions and Australian Auditing Standards.
(ii) In our opinion, the accompanying accounts are drawn up in accordance with the books of the council, and fairly present the requirements of the Local Government Act and the Local Government Accounting Directions which are to be dealt with in preparing the accounts.
B. Statutory Compliance—
Our audit review indicated that the following provisions of the Local Government Accounting Directions were not complied with—
9.2—No register of monetary documents was maintained.
15.1—Order forms were not used to obtain goods and services.
15.2—No register of official orders was maintained.
17.1—Suppliers' invoices were not certified as to goods and services being duly received.
17.3—Suppliers' invoices were not certified as to prices and computations being correct.
17.8—Schedules of accounts for payment were not minuted.
18.2—Cheques paid were not restrictively crossed.
31.1—No register of legal documents was maintained.
41.2—Salaries and wages sheets were not duly certified.
42.4—Invoices for stores and materials were not certified as to goods being duly received.
43.2—A detailed report as to plant and equipment usage during the year was not prepared.
51.1—The annual financial statements were not completed by the required date.

With the exception of the abovementioned matters, and subject to our management report, we did not during the course of our audit become aware of any instances where the council did not comply with the statutory requirements of the Local Government Act and the Local Government Accounting Directions.

MUNRO AND WYLLIE,
Chartered Accountants.
G. F. WYLLIE,
Partner.

LOCAL GOVERNMENT ACT 1960
Municipality of the Shire of Moora
Notice Requiring Payment of Rates Prior to Sale

THE several registered proprietors or owners in fee simple, or persons appearing by the last memorial in the Office of the Registrar of Deeds to be seised of the fee simple respectively of the several pieces of land described in the third column of the Appendix to this notice and persons appearing in the Registrar Book or by memorial in the Office of the Registrar of Deeds to have respectively an estate or interest in the land, and whose names appear in the first column of the Appendix to this notice.

Take notice that—

- (1) Default has been made in the payment to the council of the abovementioned Municipality of a rate charged on the several pieces of land described in the third column of the Appendix to this Notice; and the default has continued in respect of each separate piece of land for a period greater than three years;
- (2) The total amount owing to the council in respect of rates and other amounts charged on each piece of land is shown in the second column of the Appendix set opposite the description of that piece of land;
- (3) Payment of these amounts representing rates, or penalties is hereby required; and
- (4) In default of payment, the pieces of land will be offered for sale by public auction after the expiration of one hundred and five days from the date of service of this notice at a time appointed by the Council.

The pieces of land in respect of which the rates specified in the second column of the Appendix are owing are those severally described in the third column of the Appendix and set opposite the respective amounts so specified.

Dated 7 April 1989.

J. N. WARNE,
Shire Clerk.

Appendix

Names of Registered Proprietors or Owners and also of all other Persons having an Estate or Interest in the Land	Amount owing showing separately the amount owing as Rates, and any other Amounts owing	Description of the several Pieces of Land referred to
James Henry Steer (Deceased), Mrs E. Steer	\$509.99	Watheroo Lot 48 and being Certificate of Title Volume 1188 Folio 614. Lot 48 George Street.
James Henry Steer (Deceased), Mrs E. Steer	\$373.58	Watheroo Lot 49 and being Certificate of Title Volume 1188 Folio 866. Lot 49 George Street.
Charles Wesley York Midland Railway Co. (Westrail)	\$409.11	Portion of Melbourne Location 929 and being Lot 5 on Plan 3100. Certificate of Title Volume 468 Folio 164 and being Lot 5 Kiaka Street.
Mary Patricia Jane Hope and Douglas Arthur Hope	\$373.58	Portion of Melbourne Location 929 and being Lot 12 on Plan 3010. Certificate of Title Volume 432 Folio 34 being Lot 12 Kiaka Street.

Appendix—continued

Names of Registered Proprietors or Owners and also of all other Persons having an Estate or Interest in the Land	Amount owing showing separately the amount owing as Rates, and any other Amounts owing	Description of the several Pieces of Land referred to
Doris Jane Wells Aubrey Newton Dewar (Administrator of Estate of Edith Catherine Dewar Deceased) Ernest John Wells Frederick William Wells (Administrator of Estate of Gertrude Wells Deceased) Blanche Elisa York Jane Sims Cook Ellen Mary Chambers James George Wells Henry Wells Mavis Olive Hill Terence Archie Wells William Neil Wells Hector Charles Wells Reginald Ernest Wells Keith Wells	\$1 029.90	Lots 28 and 29 York Street, Watheroo. Certificates of Title Volume 1197 Folio 416, Volume 1198 Folio 170 and Volume 154 Folio 97A
Walter Richard Cockman Land Tax Department	\$1 276.35	Moora Suburban Lot 109 and being Lot 16 on Plan 3225. Certificate of Title Volume 574 Folio 103.
John Cockman Land Tax Department	\$1 110.33	Moora Suburban Lot 109 and being Lot 15 on Plan 3225. Certificate of Title Volume 671 Folio 98.
Mary Jane Gladwell (as Administrator of the Estate of Walter Gladwell) and H. S. Martin	\$1 217.91	Moora Suburban Lot 110 and being Lot 23 on Plan 3225. Certificate of Title Volume 650 Folio 148.

CEMETERIES ACT 1986

Shire of Busselton

THE Shire of Busselton hereby records having resolved on 8 March and 12 April 1989, in accordance with section 53 of the Cemeteries Act 1986, to set the following fees for the Busselton and Dunsborough Public Cemeteries.

Scale of Fees and Charges Payable to the Trustees

On application for an Order for Burial, the following fees are payable in advance—

(i) Grave Interment Fees	\$	
Of any adult in grave 2.1m deep.....	130	
Of any child under 10 years of age.....	100	
Of any still-born child in ground set aside for such purpose.....	90	
(ii) Grant of "Right of Burial"—		
Ordinary land for grave 2m x 1.2m where directed.....	50	
Special land for grave 2m x 1.2m selected by applicant according to position.....	65	
If graves are required to be sunk deeper than 2.1 m the following additional charges shall be payable—		
Additional 30cm (Max 2.4m).....	25	
And so on in proportion for each additional thirty centimetres		
(iii) Re-Opening of Ordinary Grave—		
For each interment of an Adult.....	130	
For each interment of a child under 10 years.....	100	
For each interment of a still-born child.....	90	
(iv) Re-Opening a Brick Grave and/or Removal of Headstone (Additional to (i) above.....	110	
(v) Additional Charges—		
For each Interment on a Saturday, Sunday or Public Holiday.....	90	
Re-Opening Grave for Exhumation		
Adult.....	90	
Child under 10 years.....	60	
Re-interment in new grave after exhumation		
Adult.....	130	
Child under 10 years.....	100	

The above fees and charges will apply 14 days after gazettal of this notice.

B. N. CAMERON,
Shire Clerk.

DOG ACT 1976

LITTER ACT 1979

Shire of Nungarin

IT is hereby notified for public information that the following persons have been appointed by the Shire of Nungarin as authorised officers under the above Acts.

Peter Joseph Varris
Rhonda Joan Herbert
Beverley Margaret Mary Hodges
Kevin John Paust
Kevin Patrick Crogan

All other previous appointments are hereby cancelled.

P. J. VARRIS,
Shire Clerk.

LOCAL GOVERNMENT ACT 1960

City of Fremantle

Notice of Intention to Borrow

Proposed Loan Nos. 176—\$150 000 and 177—\$40 000

PURSUANT to section 610 of the Local Government Act 1960, the City of Fremantle hereby gives notice that it proposes to borrow money by sale of debenture or debentures repayable by 20 half-yearly instalments of principal and interest (the interest rate to be reviewed at four yearly intervals) over a period of ten (10) years from the day of issue at the Office of the Council, for the purposes of:

Loan 176—Computer Upgrade.

Loan 177—Part two—Construction of toilet block and store room at the Fremantle Arts Centre.

Plans, specifications and estimates of costs thereof and the statement required by section 609 are open for inspection at the Office of the Council, William Street, Fremantle for 35 days after publication of this notice.

Dated this 18th day of April 1989.

J. A. CATTALINI,
Mayor.

M. J. CAROSELLA,
Town Clerk.

LOCAL GOVERNMENT ACT 1960

Shire of Dowerin

Notice of Intention to Borrow

Proposed Loan (No. 86) of \$100 000

PURSUANT to section 610 of the Local Government Act 1960, the Shire of Dowerin hereby gives notice that it proposes to borrow money by the sale of debentures, on the following terms and conditions: \$100 000 for a period of twelve (12) years being two years at current ruling Treasury rates of interest with a rollover for a further period of 10 years at the then current Treasury ruling rate of interest, repayable by 24 equal half-yearly instalments of principal and interest, at the office of the Council for the following purpose: Construction of Staff/Other housing.

Specifications and estimates of costs and statements as required by section 609 of the Act are available for inspection at the office of the Council during normal business hours for thirty-five (35) days after the date of the publication of this notice.

Dated 18 April 1989.

W. K. JONES,
President.

ALEX READ,
Shire Clerk.

Estimates of cost and specifications as required by section 609 of the Local Government Act 1960 are open for inspection by ratepayers at the office of the Council during normal business hours for a period of thirty five (35) days after the publication of this notice.

Dated this 21st day of April 1989.

J. D. McLEAN,
President.

A. SUMMERS,
Shire Clerk.

LOCAL GOVERNMENT ACT 1960

City of Perth

Notice of Intention to Borrow

Proposed Loan (No. 153) of \$4 800 000

PURSUANT to section 610 of the Local Government Act 1960, the Council of the City of Perth hereby gives notice of its intention to borrow \$4 800 000 by the issue and sale of debentures on the following terms: The loan will be repaid by way of equal half-yearly instalments of principal and interest based on a repayment term of thirty six years, provided that repayment in full will occur after five years or upon the sale of the City's existing depot facility in James Street, Northbridge, whichever occurs first; and further provided that the initial interest rate will be in line with the Local Government Indicative Rate as at 8 May 1989 and subject to review at the expiration of each two years during the term of the loan.

The purpose of proposed Loan No. 153 is to acquire 4.4217 hectares of land in Osborne Park on which the Council proposes to relocate its depot facilities.

Specifications and estimates as required by section 609 are open for inspection by ratepayers for a period of 35 days from the date of this notice at the office of the Chief Executive/Town Clerk, Council House, 27 St George's Terrace, Perth, between the hours of 10.00 am and 4.00 pm, Monday to Friday, excluding public holidays.

Dated this 18th day of April 1989.

C. F. HOPKINS,
Lord Mayor.

L. O. DELAHAUNTY,
Acting Chief Executive/Town Clerk.

LOCAL GOVERNMENT ACT 1960

Shire of Wiluna

Notice of Intention to Borrow

Proposed Loan (No. 32) of \$80 000

PURSUANT to section 610 of the Local Government Act 1960, the Shire of Wiluna hereby gives notice that it proposes to borrow money by the sale of debentures on the following terms and conditions. Loan No. 32 for Eighty Thousand Dollars (\$80 000) repayable to Westpac Savings Bank, Meekatharra, W.A. by half yearly instalments of principal and interest over a period of five (5) years at the current rate of interest. The interest rate is to be reviewed at the end of the first two (2) years.

The purpose of the loan shall be for part payment of the purchase of a Front End Loader.

LOCAL GOVERNMENT ACT 1960

CITY OF WANNEROO (GATES ACROSS STREET) ORDER No. 1 1989

MADE by His Excellency the Governor under the provisions of section 333 of the Local Government Act.

Citation

1. This Order may be cited as "The City of Wanneroo (Gates Across Streets) Order No. 1 1989".

Authorisation

2. The City of Wanneroo is authorised to issue licences to the following owner/occupiers to allow the erection of gates across the streets as nominated for a period not exceeding two years—

- (1) Mr T. Trandos, Pederick Street, Neerabup;
- (2) Mr A. Strang, Rousset Road, Jandabup.

By His Excellency's Command,

G. PEARCE,
Clerk of the Council.

LOCAL GOVERNMENT ACT 1960

SHIRE OF BROOKTON AND SHIRE OF PINGELLY (DISTRICT AND WARD BOUNDARIES) ORDER No. 1, 1989

MADE by His Excellency the Governor under the provisions of section 12 of the Local Government Act.

Citation

1. This Order may be cited as the "Shire of Brookton and Shire of Pingelly (District and Ward Boundaries) Order No. 1 1989".

Alteration to District Boundaries

2. The boundaries of the Districts of the Shire of Brookton and the Shire of Pingelly are hereby altered and adjusted so as to sever from the district of the Shire of Brookton the land described in Part 1 of the Schedule to this Order and annex that land to the Shire of Pingelly.

Alteration to Ward Boundaries

3. (a) The boundary of the West Ward of the Shire of Brookton is hereby adjusted by transferring therefrom the land described in Part 2, of the Schedule to this Order and annex that land to the North West Ward of the Shire of Pingelly.

(b) The boundaries of the East and West Wards of the Shire of Brookton are hereby adjusted by transferring therefrom the land described in Part 3 of the Schedule to this Order and annex that land to the Moorumbine Ward of the Shire of Pingelly.

By His Excellency's Command,

G. PEARCE,
Clerk of the Council.

Schedule

Part 1

Technical Description

Transfer of Territory from the Shire of Brookton to the Shire of Pingelly

All that portion of land bounded by lines starting at the intersection of the prolongation northerly of the westernmost western boundary of Moorumbine Agricultural Area Lot 19 with the southern boundary of Lot 21 and extending easterly along the northern side of Kulyaling Road West and onwards to the northwestern boundary of Lot 184, a point on a present southeastern boundary of the Shire of Brookton and thence southwesterly, westerly and northerly along boundaries of that shire to the starting point.

(Land Administration Public Plans: Youraling S.E. 1:25 000, Brookton S.W. 1:25 000.)

Part 2

Technical Description

Transfer of Territory from the West Ward of the Shire of Brookton to the North-West Ward of the Shire of Pingelly

All that portion of land bounded by lines starting at the intersection of the prolongation north of the westernmost western boundary of Moorumbine Agricultural Area Lot 19 with the southern boundary of Lot 21 and extending easterly along the northern side of Kulyaling Road West and onwards to the western boundary of Avon Location 13468 (Reserve 16969), thence generally southeasterly along that boundary to the prolongation easterly of the southern side of Kulyaling Road West, a point on a present southeastern boundary of the Shire of Brookton and thence westerly and northerly along boundaries of that shire to the starting point.

(Land Administration Public Plans: Brookton S.W. 1:25 000, Youraling S.E. 1:25 000.)

Part 3

Technical Description

Transfer of Territory from the East and West Wards of the Shire of Brookton to the Moorumbine Ward of the Shire of Pingelly

All that portion of land bounded by lines starting at the intersection of the prolongation easterly of the southern side of Kulyaling Road West with the western boundary of Avon Location 13468 (Reserve 16969), a point on a present northern boundary of the Shire of Pingelly and extending generally northerly along that boundary to a line in prolongation easterly of the northern side of Kulyaling Road West and thence easterly along that line to the westernmost northwestern boundary of Moorumbine Agricultural Area Lot 184, a point on a present southeastern boundary of the Shire of Brookton and thence southwesterly and westerly along boundaries of that shire to the starting point.

(Land Administration Public Plan: Brookton S.W. 1:25 000.)

LOCAL GOVERNMENT ACT 1960
The Municipality of the City of Fremantle
By-law Relating to Trading in Public Places

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovenamed Municipality hereby records having resolved on the 19th day of December 1988 to make and submit for confirmation by the Governor the following amendments to the By-law relating to Trading in Public Places published in the *Government Gazette* on 10 January 1986—

1. First Schedule is amended by adding the words "General Trading Stall" in the first line before the word "Fees" and by the addition of the words "Outdoor Dining Fees" on the fifth line and the following words—
Licence Fee (to be paid at the time of submitting the application)—\$300.
Renewal Fee—\$100.
and the inclusion of the Fourth Schedule as follows:
2. Fourth Schedule—Outdoor Dining Fees
Additional Charges.
Charges shall be assessed in accordance with the zones defined in Schedule Three and the table below—
Primary Zone
Cost per table \$125 per annum
Secondary Zone
Cost per table \$75 per annum
Rest of Municipality
Cost per table \$50 per annum.

Dated this 22nd day of February 1989
The Common Seal of the City of Fremantle was here-
unto affixed in the presence of—
[L.S.]

JOHN A. CATTALINI,
Mayor.
M. J. CAROSELLA,
Town Clerk.

Recommended—

E. K. HALLAHAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of April 1989.

G. PEARCE,
Clerk of the Council.

LOCAL GOVERNMENT ACT 1960
The Municipality of the City of Melville
By-laws Relating to the Repeal of By-laws

IN pursuance of the powers conferred upon it by the Local Government Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 27th day of September 1988, to make and submit for confirmation by the Governor the following By-laws—

By-law to repeal the following By-laws of the City of Melville—

1. Building.....	26/5/39
2. Mount Pleasant Values.....	28/7/39
3. Building Footings.....	8/4/49
4. The Management Lease and Letting of the Applecross District Hall.....	11/12/53
5. Control the Use of Seats.....	16/1/31
6. Discount on Rates.....	20/9/40
7. Appointment of Employees.....	14/11/41
8. Cattle Trespass.....	30/5/52
9. Prevention of Nuisances.....	11/10/46
10. Governing of Long Service Leave to be Granted to Employees of the Melville Road Board.....	26/10/62
11. Verandahs.....	26/10/62
12. Amendments to Building By-laws.....	22/6/61
13. Buildings.....	16/12/63
14. Amendments to By-laws Governing Long Service Leave to be Granted to Employees of the Town of Melville.....	6/11/64
15. Petrol Pumps.....	12/10/65
16. Adoption of Model By-laws Relating to Deposit of Refuse and Litter.....	16/11/66
17. Petrol Pumps (Amendment).....	13/4/70

18. Management Use and Letting of the Applecross District Hall Amendment..	23/12/71
19. Operations of Council.....	30/6/22
20. Affixing of Minutes.....	21/7/33
21. Local Government Act 1960	19/4/61
22. New Street Alignment High Road	9/8/67

Dated the 20th October 1988.

The Common Seal of the City of Melville was hereto
affixed in the presence of—

[L.S.]

J. F. HOWSON,
Mayor.

GARRY G. HUNT,
City Manager/Town Clerk.

Recommended—

E. K. HALLAHAN,
Minister for Local Government.

Approved by His Excellency the Governor in the Executive Council this 18th day of April
1989.

G. PEARCE,
Clerk of the Council.

DOG ACT 1976

The Municipality of the City of Wanneroo

Amendment to the By-laws Relating to Dog Kennels

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on the twenty-eighth day of September 1988, to make and submit for confirmation by the Governor the following amendment to its By-laws Relating to Dog Kennels as published in the Government Gazette on 1 February 1980 and amended 29 October 1982 and 8 July 1988.

The First Schedule of the By-laws is repealed and the following is substituted—

“First Schedule

Prescribed Dog Kennel Areas

All that portion of land bounded by the following, commencing at the northeast corner of Swan Location 2316 and south along its eastern boundary to its southeast corner then west to the eastern boundary of Part 1 of Location 1581, then south to the southeast corner then west along the southern boundary to the road reserve alignment of Roussett Road. Then south along the eastern boundary of Lot 6 to the southeast corner thence northwest and west along the southern boundary of Lots 6 and 7 to the road reserve alignment of Adams Road. Thence northeast and north along the western boundaries of Lots 7, 6, 5, 53, 52, 51 and 50 to the northwest corner of Lot 2 at the road reserve alignment of Neaves Road. Then eastwards on the northern boundaries of Lots 2, 1, 3, 4, 2, Part 1 of Location 1581, Pt. 100, Lots 102, 103 and 104, Pt. 5552 to the point of commencement at the northeast corner of Swan Location 2316.

and

All that portion of land bounded by the following with the point of commencement at the southeast corner Swan Location 1821 and then west along the southern boundary of Swan Location 1821 and Swan Locations 1947 on the north side of Townsend Road Reserve to the southwest corner of Swan Location 1947 then north along the western boundaries of Swan Location 1947 and Lot 1 on the eastern side of Roussett Road Reserve to the northwest corner of Lot 1, then east along the northern boundary of Lot 1, to the northeast corner and then south to the northern boundary of Swan Location 1947 then east along the northern boundary of Swan Location 1947 and Swan Location 1821 to the northeast corner of Swan Location 1821 and then south along the eastern boundary of Swan Location 1821 to the point of commencement.

and

All that portion of land bounded by the following with the point of commencement at the southern corner of Swan Location 3109 at the junction of Pinjar and Ziatius Roads. Then north along the eastern boundary of Pinjar Road Reserve on western boundaries of Swan Locations 3109, 7637 Lot 2, Swan Locations 1980, 1979, 1978 Lots 5, 3 and 4 Swan Location 1976, 1975, 1974, 1973, 1972, 1971, 1970, 1969, 1968 and 1967, Lot 1 Swan Location 1965, 1964, 1963 and Pt. 2 to the northwest corner of Lot 51 then east along the northern boundary of Lots 51 and 50 to the northeast corner of Lot 50 then south along the western boundary of Perry Road Reserve on the eastern boundaries of Lots 50 and 3 Swan Location 1963, 1964, 1965, Lots 1, 2 and 3 Swan Location 1967, 1968, 1969, 1896, 1897, 2494, 1972, 1973, 1974, 1975, 1976.

Lots 4, 3 and 5 Swan Location 1981, Lots 5, 4, 3, 6, 7 and 1 to a point level with the north corner of Swan Location 2928 then southward along its eastern boundary to the southeast corner and then west to its southwest corner then southward along the eastern boundary of Perry Road Reserve to the north corner of Lot 5 then south along the eastern boundary of Lot 5 to its southeast corner then west along the southern boundary of Lots 5 and 4 to the southwest corner of Lot 4 at the junction of Perry and Ziatius Roads, then south along the western boundary of Ziatius Road Reserve past the eastern boundary of Swan Location 3745, 7637 and 3109 to the point of commencement."

Dated this 9th day of November 1988.

The Common Seal of the City of Wanneroo was here-
unto affixed by authority of a resolution of the
Council in the presence of—

[L.S.]

W. W. BRADSHAW,
Mayor.

R. F. COFFEY,
Town Clerk.

Recommended—

E. K. HALLAHAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of April 1989.

G. PEARCE,
Clerk of the Council.

LOCAL GOVERNMENT ACT 1960

The Municipality of the Town of Bassendean

By-laws Relating to Parking of Commercial Vehicles on Street Verges

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it the Council of the abovementioned Municipality hereby records having resolved on 22 February 1988 to make and submit for confirmation by the Governor the following by-laws.

1. In these by-laws the Town of Bassendean By-laws Relating to Parking of Commercial Vehicles on Street Verges published in the *Government Gazette* of 29 May 1981 are referred to as "the Principal By-laws".

2. Clause 1 of the Principal By-laws is amended by adding before the definition of "Street Verge" the following definition—

"The term "Act" means the Local Government Act 1960 as amended from time to time;"

3. Clause 2(a) of the Principal By-laws is amended by deleting the word "consecutively".

4. Clause 3 of the Principal By-laws is amended as follows—

(a) by deleting the figures "\$200.00" and substituting "\$500.00"; and

(b) deleting the figures "\$10.00" and substituting "\$50.00".

5. The Principal By-laws are amended by adding after Clause 3 the following clauses and schedules—

4 (a) A Notice served under subsection (2) of section 669C of the Act in respect of an offence alleged to have been committed against one of these by-laws shall be in or to the effect of Form 2 in the First Schedule.

(b) Subject to sub-by-law (c) of this by-law an Infringement Notice served under section 669D of the Act in respect of an offence alleged to have been committed against one of these by-laws shall be in or to the effect of Form 1 in the First Schedule.

(c) An Infringement Notice served under subsection (2) of section 669D of the Act in respect of an offence alleged to have been committed against one of these by-laws shall be in or to the effect of Form 3 in the First Schedule.

(d) A Notice sent under subsection (5) of section 669D of the Act withdrawing an Infringement Notice served under that section in respect of an offence alleged to have been committed against one of these by-laws shall be in or to the effect of Form 4 in the First Schedule.

5. The amount appearing in the final column of the Second Schedule directly opposite an offence described in that Schedule is the modified penalty for that offence if dealt with under section 669D of the Act.

6. The Council shall cause adequate records to be kept of all Infringement Notices served and modified penalties received under section 669D of the Act in respect of offences against these by-laws.

First Schedule
Form 1

TOWN OF BASSENDEAN

By-laws Relating to Parking of Commercial Vehicles on Street Verges
Local Government Act 1960 and Amendments

INFRINGEMENT NOTICE

To: Insp. No.
Notice
Date of
Service

You are hereby notified that it is alleged that on
the.....day of.....at about.....
you did

.....
in contravention of the provisions of Clause No..... of the Town of Bassendean By-
laws Relating to Parking of Commercial Vehicles on Street Verges.

The modified penalty prescribed for this offence is \$30

If you do not wish to have a complaint of the above offence heard and determined by a Court
you may pay the modified penalty within 21 days of the service of this notice.

Unless payment is made within 21 days of the date of the service of this notice Court
proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount of \$30 mentioned
above, to the Town Clerk of the Town of Bassendean, or by delivering this form and paying
that amount at the Administration Centre, 48 Old Perth Road, Bassendean between 9.00 am
and 4.00 pm Mondays to Fridays. If payment is not received within twenty-one (21) days of
the date of this notice, it will be assumed that you wish to insist on your right to a Court
Hearing, and Court proceedings will be issued against you in due course.

Form 2

TOWN OF BASSENDEAN

By-laws Relating to Parking of Commercial Vehicles on Street Verges
Local Government Act 1960 and Amendments

NOTICE REQUIRING OWNER OF VEHICLE TO IDENTIFY DRIVER

To: Date
Notice No.
Issued on
Registration No.
Amount Due \$30

It is alleged the above vehicle did.....
.....

.....
in contravention of the provisions of Clause No..... of the Town of Bassendean By-
laws Relating to Parking of Commercial Vehicles on Street Verges.

You are hereby required to identify the person who was the driver or person in charge of the
above vehicle at the time when the above offence is alleged to have been committed.

Unless within twenty-one (21) days after the date of the service of this notice you—

- (a) inform the Town Clerk of the Town of Bassendean in writing as to the identity and
address of the person who was the driver or person in charge of the above vehicle at
the time of the offence; or
- (b) satisfy the Town Clerk of the Town of Bassendean that the above vehicle had been
stolen or was being unlawfully used at the time of the above offence.

You will in the absence of proof to the contrary, be deemed to have committed the above
offence and Court proceedings may be instituted against you.

Form 3

TOWN OF BASSENDEAN

Received the amount printed below, C. McCreed Town Clerk

This document is not a receipt until the amount paid is printed by the Cash register in the space below

TOWN OF BASSENDEAN
48 Old Perth Road, Bassendean, WA 6054

INFRINGEMENT NOTICE No.

The owner of the vehicle No. Make
Type Place
Date.....time.....am/pm.

You are hereby notified that it is alleged that you have committed a Breach of Clause No..... Town of Bassendean By-laws Relating to Parking of Commercial Vehicles on Street Verges as indicated below by a cross (x).

Table with 2 columns: Description of offence and Modified Penalty. Includes items like 'Parking Commercial Vehicle on a street verge for more than 4 hours in one day' with a \$30.00 penalty.

Signature of Authorised Person Date

If you do not wish to have a complaint of the above offence heard and determined by a Court you may pay the modified penalty within twenty-one (21) days after the date of the service of this notice.

- Unless within twenty-one (21) days after the date of the service of this notice—
(a) inform the Town Clerk of the Town of Bassendean in writing as to the identity and address of the person in charge of the above vehicle at the time of the offence;
or
(b) satisfy the Town Clerk of the Town of Bassendean that the above vehicle had been stolen or was being unlawfully used at the time of the above offence.

You will in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount mentioned above, to the Town Clerk of the Town of Bassendean or by delivering this form and paying that amount at the Administration Centre, 48 Old Perth Road, Bassendean 6054 between 9.00 a.m. to 4.00 p.m. Mondays to Fridays.

Any person who commits or causes a breach of such By-law is liable on conviction to a penalty not exceeding Five Hundred Dollars (\$500.00) plus a daily penalty not exceeding Fifty Dollars (\$50.00) for a continuing breach.

Form 4

TOWN OF BASSENDEAN

By-laws Relating to Parking of Commercial Vehicles on Street Verges
Local Government Act 1960 and Amendments

WITHDRAWAL OF INFRINGEMENT NOTICE

TO: Date.....

Infringement Notice No..... Date.....
for the alleged offence of

Modified Penalty..... is hereby withdrawn.

Signature of Authorised Officer

Second Schedule			
Item No.	Clause	Offence	Modified Penalty
1	2 (a)	Parking commercial vehicle on street verge for more than 4 hours in one day	\$30.00
2	2 (b)	Repair, service, clean or wash commercial vehicle on street verge	\$30.00
3	2 (c)	parking commercial vehicle within 6 metres of intersection	\$30.00 "

Dated the 23rd February, 1989.

The Common Seal of the Town of Bassendean was hereunto affixed by authority of a resolution of the Council in the presence of—

[L.S.]

J. B. COX,
Mayor.

C. McCREED,
Town Clerk.

Recommended—

E. K. HALLAHAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on the 18th day of April 1989.

G. PEARCE,
Clerk of the Council.

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Denmark

By-laws Relating to Pest Plants

IN pursuance of the powers conferred upon it by the abovementioned Acts and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on the 8th day of March 1988, to make and submit for confirmation by the Governor the following By-laws.

1. These by-laws may be cited as the Shire of Denmark Pest Plant By-laws, 1988.
2. In these By-laws, unless the contrary intention appears—
 - “Council” means Council of the municipality of the Shire of Denmark;
 - “district” means the district of the Council;
 - “pest plant” means a plant described as a pest plant by By-law 4 of these By-laws.
3. These By-laws apply in respect of the district.
4. Every plant described in the First Schedule to these By-laws is a pest plant.
5. (1) The Council may serve on the owner or occupier of private land within the district, a duly completed notice in the form of the Second Schedule to these By-laws requiring him to destroy eradicate or otherwise control any pest plant on that land.
(2) A person served with a notice under sub-By-law (1) of this By-law shall comply with that notice within the time and in the manner specified therein.
6. Where a person fails to comply with a notice under By-law 5 of these By-laws served upon him, the Council may—
 - (a) Without payment of any compensation in respect thereof, destroy, eradicate or control, as the case may be, any pest plant the destruction, eradication or control of which was required by the notice; and
 - (b) Recover in a court of competent jurisdiction from the person to whom the notice is directed, the amount of the expense of such destruction, eradication or control.

First Schedule

Pest Plants

COMMON NAME
Angels' Trumpets

SCIENTIFIC NAME
Datura Suaveolens

Second Schedule

Agriculture and Related Resources Protection Act 1976.
Shire of Denmark Pest Plant By-laws, 1988.

Pest Plant Notice

To No.....
 (Full names)
 of.....
 (Address)
 You are hereby given notice under the above By-laws that you are required to:
 (specify whether required to destroy, eradicate, or otherwise control) the pest plant—

 (Common Name) (Scientific Name)
 on.....
 (specify the land)
 of which you are the.....
 (owner or occupier)
 This notice may be complied with by

 (specify manner of achieving destruction, eradication or control)
 Such measures shall be commenced not later than
 (date)
 and shall be completed by
 (date)
 Upon failure to comply with this notice within the times specified, the Council may destroy,
 eradicate or control, as the case may be, any specified pest plant at your expense, and if
 necessary recover the same in a court of competent jurisdiction.
 Date of service of notice

Signature of person authorised by the Council
 of the Municipality of the Shire of Denmark.
 Dated this.....day of.....19.....

The Seal of the Municipality of the Shire of Denmark
was affixed hereto in the presence of—
[L. S.]

G. WOODS,
President.
P. DURTANOVICH,
Shire Clerk.

Recommended—

E. K. HALLAHAN,
Minister for Local Government.

Confirmed by His Excellency the Governor in Executive Council this 18th day of April 1989.
G. PEARCE,
Clerk of the Council.

DOG ACT 1976
Municipality of the Shire of Harvey
By-laws Relating to Dogs
Amendment

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers
enabling it, the Council of the abovementioned Municipality, hereby records having resolved
on the 25th day of October, 1988, to make and submit for confirmation by His Excellency the
Governor, an amendment to the abovementioned By-laws, published in the *Government
Gazette* on the 8th day of April, 1988, and subsequent amendments published in the *Govern-
ment Gazette* on the 2nd September, 1988.

1. By deleting the words "within 200 metres north" in line one of By-law 14 (6) and substituting the following "within that area directly opposite to the northern end of West Coast Drive".

Dated this 8th day of November, 1988.

The Common Seal of the Shire of Harvey was hereunto affixed by authority of a resolution of Council in the presence of—

[L.S.]

J. L. SABOURNE,
President.

K. J. LEECE,
Shire Clerk.

Recommended—

E. K. HALLAHAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of April 1989.

G. PEARCE,
Clerk of the Council.

DOG ACT 1976

The Municipality of the Shire of Swan

By-law Relating to Dogs

IN pursuance of the powers conferred upon it by the abovementioned Act and of all the other powers enabling it the Council of the abovementioned Municipality hereby records having resolved on 21 December 1987, to make and submit for confirmation by the Governor the following amendments to the By-law.

The By-law Relating to Dogs as published in the *Government Gazette* on 20 August 1982 is hereby amended in the following manner—

1. By deleting clauses 14 and 15.

2. By inserting new clauses 14, 15, 15A and 15B as follows—

- " 14 Dogs are prohibited absolutely in, and a person liable for the control of a dog shall prevent the dog from entering or being in, the following places—
- (a) a public building;
 - (b) a public swimming pool including all of the area enclosed within the fencing of the pool; and
 - (c) a place in which dogs are prohibited by any other written law operating within the municipal district.

Provided always that this clause shall not apply to guide dogs used by blind persons.

15 The public places or classes of public places referred to in clause 15A are specified as dog exercise areas for the purposes of sections 31 and 32 of the Act and the public places or classes of public places referred to in clause 15B are specifically excluded.

15A Subject to clause 14 all parks, gardens, recreation areas and reserves owned by the Shire of Swan or under the care, control and management of the Shire are designated as dog exercise areas within the municipal district.

15B The following reserves and other places are specifically excluded from the dog exercise areas within the municipal district:

- (a) any public street or road reserve;
- (b) Ballajura Lakes reserve, Maguire Park, Stirling Gardens and Tuohy Gardens.

Dated this 9th day of September 1988.

The Common Seal of the Shire of Swan was hereunto affixed by authority of resolution of the Council in the presence of—

[L.S.]

C. M. GREGORINI,
President.

R. S. BLIGHT,
Shire Clerk.

Recommended—

E. K. HALLAHAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of April 1989.

G. PEARCE,
Clerk of the Council.

LOCAL GOVERNMENT ACT 1960

Municipality of the Shire of Kalamunda

By-laws Relating to Parking Facilities

IN pursuance of the powers conferred upon it by the abovementioned Act the Council of the abovementioned Municipality hereby records having resolved on 18 July 1988 to amend the By-laws Relating to Parking Facilities which were published in the *Government Gazette* of 25 September 1981 as follows.

1. By-law 2 is amended—

- (a) By inserting the phrase “a ranger,” in line 2 of the definitions of “Inspector” before the phrase “a chief parking inspector”.
- (b) By inserting the following definition after the definition of the term “by-law”—
“Caravan” means a vehicle designed, or fitted, or being capable of use as a habitation, for a dwelling or for sleeping purposes.”
- (c) By inserting the following definition after the definition of the term “Inspector”—
“Median Strip” means any physical provision other than lines dividing a road to separate vehicular traffic proceeding in opposing directions or lines to separate two one-way carriageways for vehicles proceeding in opposing directions.”
- (d) By inserting the following definition after the definition of the term “Parking Station”—
“Property line” means the boundary between the land comprising a street and the land that abuts thereon.”
- (e) By inserting the following definition after the definition of the term “Schedule”—
“Sign” means a sign, mark, structure or device placed or erected on or near a road or within a parking station for the purpose of regulating, guiding or directing traffic.”
- (f) By inserting the following definition after the definition of the term “Traffic Act”—
“Trailer” means a vehicle drawn by another vehicle but not including a side-car attachment to a motor cycle or any vehicle that comes within the description of a caravan.”

2. By-law 21 is amended by—

- (a) Including after by-law 21, “(1)”.
- (b) By deleting the full stop after the word “standing” and inserting “but this By-law does not prevent the parking of a motor cycle and a bicycle together in a stall marked “M/C” if the bicycle is parked against the kerb in such a stall.”
- (c) By inserting after by-law 21 (1)—
“(2) A bicycle may not be parked in any parking stall other than in a stall marked “M/C”.”

3. By-laws 23 is amended as follows—

- (a) Insert after by-law 23, “(1)”
- (b) Insert after by-law 23 (1)—
“(2) A person shall not park a commercial vehicle on a road except in a designated truck bay or other area set aside for the parking of commercial vehicles for more than one hour consecutively. Nothing in this by-law shall be construed as derogating from any conditions imposed by any other regulation or any by-laws relating to the parking or standing of vehicles.”

4. By-law 24 (5) is amended by including after clause (d) the following sub by-law—

- “(e) If that vehicle is a trailer or caravan which is unattached to the towing vehicle.”

5. After By-law 24 the following by-laws are inserted—

- “24A A person shall not stand a motor bicycle without a sidecar or a bicycle in a parking stall unless the traffic sign “M/C” is marked on that stall.
- 24B A person shall not stand or permit a vehicle to stand on land which is not a road or parking facility without the consent of the owner or a person acting as the owner's agent or servant.
- 24C No person shall permit a vehicle to stand in a parking stall which is set aside for the use of buses or taxis except for the purpose of taking up or setting down passengers to or from such vehicle.
- 24D No person shall drive a vehicle over barrier kerbing, semi-mountable kerbing or a footpath other than where there is a properly constructed vehicle crossing place.
- 24E (1) Subject to sub by-law (2) of this by-law, a person shall not park a vehicle or permit a vehicle to be parked on a road so that any portion of the vehicle is between the carriageway and the boundary of the premises nearest to the carriageway.

- (2) Sub by-law (1) of this by-law shall not apply to the occupier of premises nearest to the carriageway or to a person authorised by the occupier of those premises to park a vehicle unless a "Parking is Prohibited" sign is erected adjacent to or referable to that verge."

Dated this 27th day of January 1989.
The Common Seal of Shire of Kalamunda was here-
unto affixed in the presence of—
[L.S.]

P. J. MARJORAM,
President.
E. H. KELLY,
Shire Clerk.

Recommended—

E. K. HALLAHAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 18th day of April 1989.
G. PEARCE,
Clerk of the Council.

GAS STANDARDS ACT 1972

State Energy Commission of Western Australia

IT is hereby notified for public information that, in accordance with the provisions of section 8 of the Gas Standards Act 1972, the Minister for Fuel and Energy approved on 21 March 1989 an alteration to the minimum standard of heating value of natural gas supplied by the State Energy Commission of Western Australia and that as from the date of publication of this Notice the minimum standard of heating value of such natural gas shall be 36.6 megajoules per cubic metre at a temperature of fifteen (15) degrees Celsius and at a pressure of 101.325 kilopascals.

Dated this 18th day of April 1989.

N. B. MAY,
Secretary,
State Energy Commission of Western Australia.

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984

Section 57—Code of Practice

Notice of Approval

I, the undersigned Minister for Labour, being the Minister charged with the administration of the Occupational Health, Safety and Welfare Act, acting in exercise of the power conferred upon me by section 57 (4) of the said Act, do hereby approve for public information a Code of Practice for Noise Control in the Workplace.

GAVAN TROY,
Minister for Labour.

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984

OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988

Exemption Certificate under Regulation 213 (No. 7 of 1989)

I, NEIL BARTHOLOMAEUS, Commissioner for Occupational Health, Safety and Welfare, hereby grant an exemption for the Brambles Manford crane Liebherr LMT 1100/1140, DOSHWA registration B15486, from Regulation 602(c) of the Occupational Health, Safety and Welfare Regulations 1988 subject to the use of the crane being restricted to the load charts for 6.2 metre extended outriggers when the crane is operating with fully extended outriggers (8.6 metres).

Dated this 14th day of April 1989.

NEIL BARTHOLOMAEUS,
Commissioner for Occupational Health, Safety and Welfare.

OCCUPATIONAL HEALTH, SAFETY AND WELFARE
ACT 1984

Occupational Health, Safety and Welfare Regulations 1988

Certificate of Exemption under Regulation 213

THE Department of Corrective Services is from the date of this certificate exempted from compliance with the requirements of regulation 341 of the Regulations in relation to each of the following institutions—

Albany Regional Prison
Bandyup Women's Prison
Barton's Mill Prison
Broome Regional Prison
Bunbury Regional Prison
Canning Vale Prison
C. W. Campbell Remand Centre
Eastern Goldfields Regional Prison
Fremantle Prison
Greenough Regional Prison
Karnet Prison Farm
Pardelup Prison Farm
Roebourne Regional Prison
Woorloo Prison Farm
Wyndham Regional Prison

Dated the 18th day of April 1989.

NEIL BARTHOLOMAEUS,
Commissioner.

CONSUMER AFFAIRS ACT 1971-1983

Order

I, NORMAN RICHARD FLETCHER, Commissioner for Consumer Affairs, in and for the State of Western Australia being satisfied that a Consumer Affairs Authority, namely Nick Bolkus, the Minister of State for Consumer Affairs in and for the Commonwealth of Australia has by notice dated 10 October 1988, and published in the *Commonwealth Gazette* on 26 October 1988, restricted the supply of goods described in the Schedule hereto. Now I, pursuant to the powers vested in me by section 23 R (4) of the Consumer Affairs Act restrict the supply of goods specified in the Schedule subject to the conditions contained in the Schedule.

Dated this 10th day of April 1989.

N. R. FLETCHER,
Commissioner for Consumer Affairs.

Schedule

Division 1: Particulars of Goods

- (1) Child restraints for use in motor vehicles, being devices to reduce the risk of bodily injury to a child passenger in the event of a motor vehicle impact.
- (2) Components to restrain a child in a child restraint, components to anchor a child restraint to a motor vehicle and, where supplied, components to restrain a vehicle seat.
- (3) Chaises for use in motor vehicles, being devices for raising a child's position in a motor vehicle and/or adapting an adult seat belt for use as a child restraint and having a back above the seating plane.
- (4) Cushions for use in motor vehicles, being devices for raising a child's position in a motor vehicle and/or adapting an adult seat belt for use as a child restraint and having no back above the seating plane.

The goods do not include:—

- (1) Child restraints suitable for a range of children whose mass lies within nominated limits up to 9 kilograms and corresponding supine length lies within nominated limits up to 700 millimetres, where such restraints were imported into Australia, or were manufactured or assembled in Australia, before 1 January, 1989; and
- (2) child restraints designed, constructed or marketed specifically for handicapped children.

Division 2: The Standard

Australian Standard 1754-1975, "Child Restraints for Passenger Cars and Derivatives," approved by the Standards Association of Australia on 17 March 1975, as amended by Amendment No. 1 of February 1976, Amendment No. 2 of March 1978, Amendment No. 3 of July 1979, the Corrigendum of October 1979 and Amendment No. 4 of July 1985.

Division 3: Variations

The standard specified in Division 2 is varied by—

- (1) deleting from the first sentence of clause 1.2 the words "covered by this specification"; and
- (2) deleting from the first sentence of clause 4.4 the words "purporting to comply with this specification."

FINANCE BROKERS CONTROL ACT 1975

Sections 24 and 27

Application for Finance Brokers Licence by Individual

To the Registrar, Finance Brokers Supervisory Board.

I, Peter Crommelin Chaffey of 34 Manning Street, Mosman Park 6012 hereby apply for a Finance Brokers Licence under the Finance Brokers Control Act 1975. My address for service of notices in respect of this application is c/- Monash Financial Services, Suite 3, 154 Hampden Road, Nedlands 6009.

Dated 4 April 1989.

P. CROMMELIN.

Appointment of Hearing

I hereby appoint 3 May 1989 at 10.00 am as the time for hearing the foregoing application at the Offices of the Finance Brokers Supervisory Board, 600 Murray Street, West Perth.

C. A. FITZGERALD,
Registrar,
Finance Brokers Supervisory Board.

Objection to the granting of this licence shall be in the approved form and may be served on the applicant and the Registrar at any time prior to seven days before the date appointed for the hearing.

FINANCE BROKERS CONTROL ACT 1975

Sections 24 and 27

Application for Finance Brokers Licence by Individual

To the Registrar, Finance Brokers Supervisory Board.

I, JONATHAN ALISTER YOUNG of 19 Bellevue Terrace, Swanbourne 6010 hereby apply for a Finance Brokers Licence under the Finance Brokers Control Act 1975. My address for service of notices in respect of this application is C/- Monash Financial Services, Suite 3, 154 Hampden Road, Nedlands 6009.

Dated 4 April 1989.

(Signed) J. A. YOUNG.

Appointment of Hearing

I hereby appoint 3 May 1989 at 10.00 am as the time for hearing the foregoing application at the Offices of the Finance Brokers Supervisory Board, 600 Murray Street, West Perth.

C. A. FITZGERALD,
Registrar,
Finance Brokers Supervisory Board.

Objection to the granting of this licence shall be in the approved form and may be served on the applicant and the Registrar at any time prior to seven days before the date appointed for the hearing.

FINANCE BROKERS CONTROL ACT 1975

Sections 24 and 29

Application for Finance Brokers Licence by Corporate Body
To the Registrar, Finance Brokers Supervisory Board.
MONASH FINANCIAL SERVICES PTY LTD hereby
applies for a Finance Brokers Licence under the Finance
Brokers Control Act 1975. The address for service of notices
in respect of this application is Suite 3, 154 Hampden Road,
Nedlands.

Dated 4 April 1989.

(Signed) J. A. YOUNG,
Director.

Appointment of Hearing

I hereby appoint 3 May 1989 at 10.00 am as the time for
hearing the foregoing application at the Offices of the
Finance Brokers Supervisory Board, 600 Murray Street,
West Perth.

C. A. FITZGERALD,
Registrar,
Finance Brokers Supervisory Board.

Objection to the granting of this licence shall be in the
approved form and may be served on the applicant and the
Registrar at any time prior to seven days before the date
appointed for the hearing.

SOIL AND LAND CONSERVATION ACT 1945

SANDSTONE LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS
OF DISTRICT COMMITTEE) INSTRUMENT 1989.

MADE by the Minister for Agriculture.

Citation

1. This instrument may be cited as the Sandstone Land Conservation District
(Appointment of Members District Advisory Committee) Instrument 1989.

Interpretation

2. In this Instrument—

“Constitution order” means the Soil and Land Conservation (Sandstone Soil Conser-
vation District) order 1988*.

“Committee” means the District Advisory Committee established by Clause 4 of the
Constitution order.

[*Published in the Gazette of 20 January 1989 at p.p. 135, 136, 137.]

Appointment of Members

3. (1) Under Clause 5 (1) (b) of the constitution order Allan Humphries of Lake Mason
Station is appointed a member of the committee on the nomination of the Sandstone Shire.

(2) Under Clause 5 (1) (c) of the constitution order Dale Zadow of Windimurra Station is
appointed a member of the committee to represent the Western Australian Farmers Feder-
ation.

(3) Under Clause 5 (1) (d) of the constitution order

(a) Phillip Lefroy of Cashmere Downs Station

(b) Rodger Broadhurst of Atley Station

are appointed members to represent the Pastoralists and Graziers Association of Western
Australia.

4. Under Clause 5 (1) (e) of the constitution order

(a) Allan Morton—Lake Barlee Station,

(b) David McQuie—Bulga Downs Station,

(c) Ian McPherson—Diemals Station,

(d) Ian Smith—Sandstone,

are appointed Members of the Committee being persons actively engaged in land use in the
Sandstone Land Conservation District.

Term of Officer

The appointments made under Clause 3 shall be for a term of 3 years commencing on the
day that this Instrument is published in the *Gazette*.

ERNIE BRIDGE,
Minister for Agriculture.

EDUCATION ACT 1928

EDUCATION AMENDMENT REGULATIONS 1989

MADE by the Minister for Education.

Citation

1. These regulations may be cited as the *Education Amendment Regulations 1989*.

Principal regulations

2. In these regulations the *Education Act Regulations 1960** are referred to as the principal
regulations.

[*Reprinted in the Gazette of 19 March 1971 at p. 855. For amendments to 14 February
1989 see page 220 of 1987 Index to Legislation of Western Australia and Gazettes of 23
September 1988 at p. 3954; 4 November 1988 at p. 4416 and 30 December 1988 at pp 5113-
5115.]

Regulations 57B and 57D repealed

3. Regulations 57B and 57D of the principal regulations are repealed.

Regulation 57E amended

4. Regulation 57E of the principal regulations is amended—

(a) by repealing subregulation (3) and substituting the following subregulations—

“(3) There shall be payable to a non-profit pre-school centre by way of recurrent funding in respect of every child attending the pre-school centre who is a permanent resident in Australia the moneys specified in subregulation (3a) (referred to as “recurrent funds”).

(3a) Recurrent funds shall be payable according to the classification of the pre-school centre determined by the Minister on a scale commencing from a base amount of \$264 per child to a maximum amount of \$306 per child and the amount so payable shall be increased—

(a) in accordance with movements in the School Prices Index issued by the Commonwealth Department of Employment, Education and Training; and

(b) in respect of the years 1990 and 1991, by a percentage amount on a scale commencing from 1.0% to a maximum of 3% according to the classification of the school determined by the Minister,

but so that the percentage variation in a year subsequent to 1989 shall be calculated on the total amount payable in respect of the preceding year.

(3b) Payment of moneys under subregulations (3) and (3a) shall be as follows—

(a) subject to this regulation payments shall be made according to the attendance of children during the school year;

(b) payments shall be made in the months of February, May, August and September;

(c) the February payment shall be made according to the number of children in attendance during the second semester of the year immediately preceding;

(d) the May payment shall be increased or decreased according to the number of children in attendance during the first semester of that year;

(e) where the first semester enrolment figures indicate any surplus or deficit in the February payment the May payment shall be adjusted by decreasing or increasing that payment accordingly; and

(f) the August and September payments shall be according to the number of children in attendance during the second semester of that year.

(3c) Where a pre-school centre has not had a previous enrolment the amounts of money payable in respect of children attending the pre-school centre shall be calculated on the basis of actual enrolments at the pre-school centre and for this purpose payments may be made in arrears. ”;

and

(b) in subregulation (4), by deleting “The” and substituting the following—

“ Subject to this regulation, the ”.

CARMEN LAWRENCE,
Minister for Education.

BUILDING MANAGEMENT AUTHORITY

Tenders, closing at West Perth, at 2.30 pm on the dates mentioned hereunder, are invited for the following projects.

Tenders are to be addressed to:—

The Minister for Works,
c/o Contract Office,
Dumas House,
2 Havelock Street,
West Perth, Western Australia 6005

and are to be endorsed as being a tender for the relevant project.

The highest, lowest, or any tender will not necessarily be accepted.

Tender No.	Project	Closing Date	Tender Documents now available from:
24750	Western Australia College of Advanced Education, Churchlands—Maths, Computer, Business Studies Building—Construction. Selected Tenders only. Deposit on Documents: \$200	3/5/89	BMA West Perth
24753	Perth City Bus Junction—Supply of Door Hardware. Nominated Sub Contract.	3/5/89	BMA West Perth
24754	Lancelin Fisheries Facility—Receival Depots & Fisheries Office and Boat Shed. Builders Categorisation Category D.	3/5/89	BMA West Perth
24756	Western Australia College of Advanced Education, Churchlands—Maths, Computer, Business Studies Building—Mechanical Services. Nominated Sub Contract.	3/5/89	BMA West Perth

BUILDING MANAGEMENT AUTHORITY—*continued*

Tender No.	Project	Closing Date	Tender Documents now available from:
24741	South Goegrup Primary School—Construction. Builders Categorisation Category B. Selected Tenderers only. Deposit on Documents: \$300	10/5/89	BMA West Perth
24755	Governor Stirling Senior High School (Midland)—Upgrade to Home Economics, Administration Block and Library. Builders Categorisation Category C.	10/5/89	BMA West Perth
24757	Oakford Primary School—Redevelopment (Transportables). Builders Categorisation Category D.	10/5/89	BMA West Perth
24758	Booragoon Primary School—Alterations & Additions. Builders Categorisation Category D.	10/5/89	BMA West Perth
24759	Department for Community Services, Karratha—Family Centre—erection. Builders Categorisation Category D.	17/5/89	BMA West Perth BMA Karratha
24760	Boyup Brook District High School—Alterations & Additions. Builders Categorisation Category D.	17/5/89	BMA West Perth
24761	Boyup Brook District High School—Primary Annexe—New Administration & Library. Builders Categorisation Category D.	17/5/89	BMA West Perth BMA Bunbury

Acceptance of Tenders

Tender No.	Project	Contractor	Amount
24749	W.A.C.A.E. Churchlands—Zone B Chilled Water Plant—Supply of Two Water Cooling Towers	Wildridge & Sinclair Engineering Pty Ltd.....	\$ 38 900
24736	Mount Lawley Primary School—Library & Art and Craft Additions	K. G. K. Simpson Pty Ltd.....	279 660
24734	Koorilla Primary School—Pre Primary Conversion	J. J. & H. W. Wester.....	103 450
24726	West Busselton Primary School—Alterations & Additions	J. M. Best & Son Holdings Pty Ltd.....	373 184

C. BURTON,
Executive Director,
Building Management Authority.

STATE TENDER BOARD OF WESTERN AUSTRALIA

Tenders Invited

Date of Advertising	Schedule No.	Description	Date of Closing
1989			1989
Mar 23	100A1989 ...	Drugs, Disinfectants and Antiseptic Preparations (1 year period)—Various Government Departments	Apr 27
Mar 31	310A1989 ...	Twenty Five (25) only 2 Berth Caravan Sleeper and Kitchens—Main Roads Department	Apr 27
Apr 7	320A1989 ...	Truck Cab Chassis fitted with a van body to be equipped as a Security Transport Vehicle for the Department of Corrective Services	Apr 27
Apr 7	319A1989 ...	Digital Topographic Mapping System (Phase 2) for the Department of Land Administration—Topographic Services Branch	May 4
Apr 21	39A1989	Electrodes, Electro-Cardiograph for a Period of 18 months	May 11
Apr 21	99A1989	Sterile Fluids—Large Volume (Two Year Period) for various Government Departments	May 11
Apr 21	108A1989 ...	Microfilm Supplies to various Government Departments (1st July, 1989 to 30th June, 1990)	May 11
Apr 21	334A1989 ...	School Telephone Systems for the Ministry of Education of WA	May 11
Apr 21	335A1989 ...	New or secondhand Rubber Tyred Mobile Crane for Department of Marine & Harbours	May 11
Apr 21	338A1989 ...	Computer Output Paper Handling Equipment for the Treasury Department	May 11
Apr 21	344A1989 ...	Four (4) only Four Wheel Drive Loaders for the Main Roads Department (Recall)	May 11
Apr 21	14A1989	Paper Products and Dispensers to various Government Departments (One Year Period commencing 23rd June, 1989)	May 18
		<i>Service</i>	
Apr 21	52A1989	Funerals of Deceased Indigent Persons in Country Areas (One Year Period)—Department for Community Services	May 11

STATE TENDER BOARD OF WESTERN AUSTRALIA—continued

For Sale by Tender

Date of Advertising	Schedule No.	For Sale	Date of Closing
1989			1989
Mar 23	308A1989 ...	Jewellery, Custom (Ready for Sale and Component Parts)—Department of Regional Development and the North West	Apr 27
Apr 7	312A1989 ...	Martin Nixon ST Tandem Axle Flat Top Trailer (MRD 1184) at Kalgoorlie	Apr 27
Apr 7	313A1989 ...	Alma Drawn Road Broom (MRD 4353) at Welshpool	Apr 27
Apr 7	314A1989 ...	Trailer Mounted Generating Set (MRD 3156) at Welshpool	Apr 27
Apr 7	315A1989 ...	Domestic Caravan (including Electrolux Refrigerator MRD 3839) (MRD 0050) at Kalgoorlie	Apr 27
Apr 7	316A1989 ...	1987 Toyota Tercel 4x4 Station Wagon (6QM 654), 1987 Nissan Navara 4x4 Utility (6QJ 706), 1985 Nissan Pulsar Sedan (6QF 114), 1985 Nissan Pulsar Sedan (6QE 859), 1986 Nissan Navara 4x2 King Cab Utility (6QJ 278) at Mundaring	Apr 27
Apr 7	317A1989 ...	1986 Toyota Hilux 4x4 Cab Chassis (6QJ 684), 1986 Toyota Hilux 4x4 Cab Chassis (6QJ 684), 1986 Toyota Hilux 4x2 Utility (6QG 746), 1986 Toyota Hilux 4x4 Double Cab (6QK 220), 1986 Toyota Corona Sedan (6QK 592), 1986 Toyota Corona Station Wagon (6QI 823) at Mundaring	Apr 27
Apr 7	318A1989 ...	1983 Nissan Patrol SWB 4x4 Wagon (XQZ 591) at Manjimup	Apr 27
Apr 7	321A1989 ...	Surplus Laundry Equipment at Department for Community Services—Mount Lawley	Apr 27
Apr 7	322A1989 ...	1986 Nissan Navara 4x2 King Cab Pick Up Utility (6QI 039) at Mundaring	Apr 27
Apr 7	323A1989 ...	1987 Ford Falcon XF Sedan (6QL 065), 1986 Ford Falcon XF Sedan (6QI 869) at Manjimup	Apr 27
Apr 7	324A1989 ...	1987 Ford Falcon XF Sedan (6QI 570) at Karratha	Apr 27
Apr 7	325A1989 ...	Henley Forklift (UQL 741) Husky Model 10 at Broome	Apr 27
Apr 14	326A1989 ...	1973 Zetor 6711 Tractor (UQP 299) (Inoperative) Department for Community Services—Badgingarra	May 4
Apr 14	327A1989 ...	1985 Nissan Pulsar Sedan (6QG 794) and 1985 Ford Falcon Station Wagon (6QD 675) at Mundaring	May 4
Apr 14	328A1989 ...	Modra 38kW Generator Set (MRD 4409) and Modra 85kW Generator Set (MRD 5420) at Welshpool	May 4
Apr 14	329A1989 ...	1983 Nissan Patrol SWB 4x4 (XQZ 593), 1986 Nissan King Cab 4x2 Utility (6QI 039), 1985 Toyota Hilux Extra Cab 4x4 (6QG 169) at Mundaring	May 4
Apr 14	330A1989 ...	1986 Ford Falcon XF Sedan (7FI 519) at Karratha	May 4
Apr 14	331A1989 ...	1976 Toyota Tip Truck (MRD 1410), 1979 Mitsubishi Canter Truck (MRD 4444), 1978 Dodge Flat Top Truck (MRD 2170), 1979 Dodge Flat Top Truck (MRD 4512) at Welshpool	May 4
Apr 14	332A1989 ...	1980 Toyota Dual Cab Truck Dyna HU30 (MRD 5146) with Hiab 130 BTY Truck Mounted Crane (MRD 7217) at Welshpool	May 4
Apr 14	333A1989 ...	1980 Leyland Landrover Utility 4x4 (MRD 5134), 1987 Mazda E2000 Van (MRD 9569) and 1988 Ford Falcon XF Utility 4.1 (MRD 2786) at Welshpool	May 4
Apr 21	336A1989 ...	1986 Toyota Hilux 4x4 X Cab (6QI 816), 1985 Ford Falcon XF Sedan (6QD 339), 1986 Ford Falcon XF Sedan (6QH 299) and 1986 Ford Falcon XF Sedan (6QH 892) at Ludlow	May 11
Apr 21	337A1989 ...	1985 Mitsubishi L300 4x2 Eight (8) Seater Bus (6QG 321) at Mundaring	May 11
Apr 21	339A1989 ...	1988 Holden Commodore VL Station Wagon (MRD 2536) at Welshpool	May 11
Apr 21	340A1989 ...	1987 Ford Falcon XF Sedan (6QK 743) at Wyndham	May 11
Apr 21	341A1989 ...	1985 Daihatsu V57HS Tray Top Truck (MRD 8172) at Derby	May 11
Apr 21	342A1989 ...	1987 Ford Falcon XF Panel Van 4.1L Motor (MRD 2241) and 1987 Ford Falcon XF Panel Van 4.1L Motor (MRD 2242) at Welshpool	May 11
Apr 21	343A1989 ...	1975 International Flat Top Truck (MRD 1352) at Welshpool	May 11

Tenders, addressed to the Chairman, State Tender Board, 815 Hay Street, Perth 6000 will be received for the above-mentioned tenders until 10.00 am on the date of closing.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection.

Tender forms and full particulars may be obtained on application at the Tender Board Office, 815 Hay Street, Perth and at points of inspection.

No tender necessarily accepted.

L. W. GRAHAM,
Chairman, State Tender Board.

STATE TENDER BOARD OF WESTERN AUSTRALIA—*continued**Accepted Tenders*

Schedule No.	Particulars	Contractor	Rate
<i>Supply and Delivery</i>			
4A1988	Catheters "Y" suction (2 year period)—various Government Departments	Baxter Health Care Pty Ltd	Details of request
6A1989	Bolts and nuts (1 year period)—various Government Departments	Perth Surgical Supply Co P/L Atkins Carlyle F. J. Sweetman & Co Pty Ltd	Details of request
64A1988	Herbicides and wetting agents (1 year period)—various Government Departments	David Gray & Co Pty Ltd	Details of request
68A1989	Fresh and frozen poultry (1 year period)—various Government Departments	Festive Foods Pty Ltd	Details of request
141A1989	Printing paper, writing paper, copy paper and board requirements (1 year period)—State Printing Division	Various.....	Details of request
148A1988	Medical X-ray film and processing chemicals—Royal Perth Hospital	Kodak (A/Asia) Pty Ltd.....	\$60.00/roll
215A1989	One only special purpose bus for the transport of disabled students—Ministry of Education	Wentworth Motors (1977) Pty Ltd	\$110 670
230A1989	Survey equipment for the Main Roads Department	Associated Instrumentation Pty Ltd	\$17 084
231A1989	Traffic signal cable for the Main Roads Department	M. M. Cables	\$64 983
233A1989	Energy management systems for the Health Department	Simplex Int. Time Equipment P/L	Details on request
428A1988	Computer System—Department of Occupational, Health, Safety and Welfare	Quinex Computer Systems; Sigma Data Corp	Details on request
<i>Purchase and Removal</i>			
560A1988	Three (3) only Skipjack tuna gill nets at Fremantle	M. T. Walton & Sons.....	Item 1 \$800 Item 2 \$800 Item 3 \$550
250A1989	Foxboro Spec 200 equipment at Sir Charles Gairdner Hospital	Procon Instrumentation Pty Ltd	\$3 000
268A1989	VHF two way radio service at Eden Hill	West Gidgegannup Volunteer Bush Fire Brigade	\$100
292A1989	1987 Mitsubishi Pajero 4x4 station wagon (6QJ 852) at Mundaring	P. J. Withers.....	\$15 050
293A1989	1986 Nissan Navara 4x2 H/Cab (6QJ 923) at Ludlow	Kevin Davis Carworld	\$9 389
294A1989	1987 Ford Falcon XF panel van (MRD 9757) ... 1988 Ford Falcon XF utility 4.1 (MRD 2823) at Welshpool	William Wood Motors	Item 1 \$8 219 Item 2 \$11 019
295A1989	1987 Holden Commodore VL station wagon (MRD 2697) at Wedgefield	Kevin Woolcock Used Car Centre	\$14 510
296A1989	1986 Nissan Navara 4x2 King cab (6QJ 206) at Ludlow	Kevin Davis Carworld	\$10 598
297A1989	1987 Nissan Navara 4x4 STD cab utility (6QF 437) at Manjimup	Kevin Davis Carworld	\$11 690
<i>Decline of Tenders</i>			
95A1988	Tools, Hand (one year period)—various Government Departments		
257A1989	Four (4) only four wheel drive loaders of Class 5WL for the Main Roads Department		
279A1989	1973 Bosich tandem axle semi-trailer (MRD 1639), Fabco skid mounting accommodation unit (MRD 8159), Modra 4kW generating set (MRD 7350) and 4500 LT tanks (2 only) at Kununurra		

MAIN ROADS DEPARTMENT

Tenders

Tenders are invited for the following projects.

Tender documents are available from the Clerk in Charge, Orders Section, Ground Floor, Main Roads Department, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date 1989
199/88.....	Fencing on Great Northern Highway, Dalwallinu-Wubin Northam Division. Documents are also available from our Northam Office. This is a Federally Funded Project.	2 May
60/88.....	Litter collection and disposal, various roads Narrogin Division. Documents also available from Divisional Clerk, Narrogin Division. Closes in Narrogin.....	6 May

APPOINTMENTS

(Under section 6 of the Registration of Births, Deaths and Marriages Act 1961-1979)

Registrar General's Office,
Perth, 7 April 1989.

THE following appointments have been approved—

R.G. No. 1/88—Adrian Charles Malkovic has been appointed as District Registrar of Births, Deaths and Marriages for the Moora Registry District to maintain an office at Moora during the absence on annual leave of Mr B. M. Zilko. This appointment dates from 17 April 1989 to 9 May 1989.

R.G. No. 1/88—Mr Gavin Trevor Cotterell has been appointed as District Registrar of Births, Deaths and Marriages for the Fremantle Registry District to maintain an office at Fremantle during the absence of Mr H. M. D'Silva. This appointment dated from 3 April 1989 to 21 April 1989.

R.G. No. 1/88—Mr Gary Paul Fullarton has been appointed as Deputy District Registrar of Births, Deaths and Marriages for the Perth Registry District. This appointment dates from 17 April 1989.

R.G. No. 1/88—Mr Peter Rafferty has been appointed as District Registrar of Births, Deaths and Marriages for the Plantagenet Registry District to maintain an office at Albany during the absence on annual leave of Mr R.E. Whitney. This appointment dated from 29 March 1989.

R.G. No. 1/89—Mr Peter Rafferty has been appointed as Deputy District Registrar of Births, Deaths and Marriages for the Swan Registry District during the absence on other duties of Mr M. J. Baker. This appointment dates from 1 May 1989.

R.G. No. 1/88—Mr Warren James Southwell has been appointed as District Registrar of Births, Deaths and Marriages for the Geraldton Registry District to maintain an office at Geraldton during the absence on leave of Mr J. L. Cope. This appointment dated from 10 April 1989.

R.G. No. 1/88—Mr Neil Steven Harding has been appointed as District Registrar of Births, Deaths and Marriages for the Merredin Registry District to maintain an office at Merredin pending a permanent appointment. This appointment dated from 31 March 1989.

D. G. STOCKINS,
Registrar General.

MINES REGULATION ACT 1946

Appointment

HIS Excellency the Governor in Executive Council is pleased to appoint James Farnworth as a Special Inspector of Mines (Machinery) pursuant to Section 6 of the Act.

D. R. KELLY,
Director General of Mines.

MINES REGULATION ACT 1946

Department of Mines,
Perth, 21 April 1989

IT is hereby notified for public information that the Minister for Mines, acting pursuant to powers conferred by the Act, is pleased to direct James Farnworth, Special Inspector of Mines (Machinery), appointed under the Act, to act in all mining districts in Western Australia and in all mines situated therein.

D. R. KELLY
Director General of Mines.

MINES REGULATION ACT 1946

Appointment

Department of Mines,
Perth, 21 April 1989.

HIS Excellency the Governor in Executive Council is pleased to make the following appointment—

Peter Charles Garland, as District Inspector of Mines, to act in all mining districts in Western Australia and in all mines situated therein.

D. R. KELLY,
Director General of Mines.

MINING ACT 1978

Department of Mines,
Perth, 21 April 1989.

I HEREBY declare in accordance with the provisions of Section 99 (1) of the Mining Act 1978 that the undermentioned Gold Mining Lease is forfeited for breach of covenant, *viz*, non compliance with expenditure conditions, and prior right of application granted under Section 100.

JEFF CARR,
Minister for Mines.

NORTH EAST COOLGARDIE

Kanowna District
Gold Mining Lease

27/1768—Lenard Eric Neve.

MINING ACT 1978

Notice of Intention to Forfeit

Department of Mines,
Perth WA 6000.

IN accordance with Regulation 50 (b) of the Mining Act, 1978, notice is hereby given that unless the rent due on the undermentioned leases is paid on or before 22 May 1989 it is the intention of the Hon. Minister for Mines under the provision of Section 97 (1) of the Mining Act 1978 to forfeit such for breach of covenant, *viz*, non-payment of rent.

D. R. KELLY,
Director General of Mines.

GASCOYNE MINERAL FIELD

Gold Mining Leases

- 09/78—Palmer, Vivian Stuart; Palmer, Garry Kay; Bell, Donald William; Fraser, Robert Ruscoe; Frapple, Paul Gregory.
09/80—Palmer, Vivian Stuart; Palmer, Garry Kay; Bell, Donald William; Fraser, Robert Ruscoe; Frapple, Paul Gregory.
09/106—Palmer, Vivian Stuart; Palmer, Garry Kay; Bell, Donald William; Fraser, Robert Ruscoe; Frapple, Paul Gregory.
09/108—Palmer, Vivian Stuart; Palmer, Garry Kay; Bell, Donald William; Fraser, Robert Ruscoe; Frapple, Paul Gregory.
09/112—Palmer, Vivian Stuart; Palmer, Garry Kay; Bell, Donald William; Fraser, Robert Ruscoe; Frapple, Paul Gregory.

COOLGARDIE MINERAL FIELD

Gold Mining Leases

- 15/5884—Regional Resources NL.
15/6147—Tremain, Ronald.
15/6216—Regional Resources NL.
15/6278—Falcona Exploration and Mining NL.
15/6405—The Public Trustee.
15/6426—Frank, Alwin.
15/6463—Baker, Robert Albert Lawrence.
15/6515—The Public Trustee.
15/6583—Granall Engineering (1986) Pty Ltd; Vivoda, Frank Rudi.
15/6584—Frank, Maria.
15/6637—Schell, John Francis; Judd, Lawrence Patrick.
15/6703—Premier Gold NL.
15/6761—Marmarac, Chuck.
15/6801—Schell, John Francis.
15/6804—Walker, Robert Dennis; Modic, Ludvik.
15/6829—Velic, Alex Ahmet.
15/6853—Jones Mining Ltd.
15/6946—Ibbotson, Bernard John.
15/7014—Kas Corporation Pty Ltd.
15/7084—Worth, Cyril Clive.
15/7088—George-Kennedy, Patrick Edward; George-Kennedy, Heather Clare.

15/7093—Rodzitis, Adalberts; Chaytor, Maxwell Stanley; Benjamin, Joan Cynthia.

15/7094—Wright, Lawrence Barton.

15/7097—Nielsen, Elliott Warren.

Kununalling District

16/1054—Gould, Albert Roy.

16/1135—Hanks, John Alfred Gordon; Viskovich, Maksim.

16/1228—Olden, Malcolm Roy.

16/1270—Sweeting, Archibald George.

MURCHISON MINERAL FIELD

Cue District

Gold Mining Leases

20/2520—Mora, Francis Peter.

20/2521—Mora, Francis Peter.

20/2547—Goldking Mining NL.

20/2624—Goldking Mining NL.

BROAD ARROW MINERAL FIELD

Gold Mining Leases

24/2476—Davies, Alexander Daniel; Zanich, Clarence Ephraim.

24/2517—Davies, Alexander Daniel; Zanich, Clarence Ephraim; Pusey, Brian Llewellyn.

24/2518—Davies, Alexander Daniel; Zanich, Clarence Ephraim; Pusey, Brian Llewellyn.

24/2519—Davies, Alexander Daniel; Zanich, Clarence Ephraim; Pusey, Brian Llewellyn.

24/2520—Davies, Alexander Daniel; Zanich, Clarence Ephraim; Pusey, Brian Llewellyn.

24/2541—Ramsgate Resources Ltd; Tuckanarra Minerals NL.

EAST COOLGARDIE MINERAL FIELD

East Coolgardie District

Gold Mining Lease

26/6791—Hronsky, Mark; Hronsky, Timothy Mathew Shaun.

NORTH EAST COOLGARDIE MINERAL FIELD

Kurnalpi District

Gold Mining Lease

28/598—Witte, Hans Lothar; Russell, John Michael.

NORTH COOLGARDIE MINERAL FIELD

Menzies District

Gold Mining Leases

29/6025—Gould, Albert Roy.

29/6086—Gould, Gilbert Alfred.

29/6105—Cock, Frederick John.

29/6113—Jones Mining Ltd.

29/6196—Reed, David John; Von Altenstadt Nominees Pty Ltd; Dagmar Nominees Pty Ltd; Eyres, Peter; Eyres, Gordon; Von Altenstadt, John Dietrich; Biggs, Kieth.

29/6197—Cock, Frederick John.

Ullaring District

Gold Mining Lease

30/1415—Mihalj, Ante; Mulrone, David.

EAST MURCHISON MINERAL FIELD

Lawlers District

Gold Mining Lease

36/1516—Mantilla Nominees Pty Ltd

MT MARGARET MINERAL FIELD

Mt Malcolm District

Gold Mining Leases

37/2108—Williams, Geoffrey Thomas; Williams, Norman Andrew; Williams Snr, Michael John; Williams, Thomas Geoffrey.

37/2109—Williams, Geoffrey Thomas; Williams, Norman Andrew; Williams Snr, Michael John; Williams, Thomas Geoffrey.

37/2113—Kerr, John Strachan; Reimers, Tony.

37/2114—Kerr, John Strachan; Reimers, Tony.

37/2185—Dodds, William John Nelson.

37/2217—North Eastern Gold Mines NL.

37/2331—Bonaventure Resources NL.

37/3212—MGM Mining and Exploration Pty Ltd.

NORTH COOLGARDIE MINERAL FIELD

Niagara District

Gold Mining Lease

40/992—Beaver, Harold Wayne.

PILBARA MINERAL FIELD

Gold Mining Leases

45/1309—Consolidated Exploration Ltd.

45/1608—Mann, Keith William.

45/1615—Griffiths, Peter John.

45/1646—Attwood, Ronald Gregory.

45/1759—Kevill, John Darryl.

45/1867—Attwood, Ronald Gregory; Dann, George.

45/1868—Attwood, Ronald Gregory; Dann, George.

Nullagine District

46/339—Invincible Gold NL.

46/340—Invincible Gold NL.

46/360—Invincible Gold NL.

46/361—Invincible Gold NL.

46/404—Invincible Gold NL.

46/437—Invincible Gold NL.

46/438—Invincible Gold NL.

46/439—Invincible Gold NL.

WEST PILBARA MINERAL FIELD

Gold Mining Leases

47/514—Malmagra Nominees Pty Ltd; Manjian Loucine; Shemmessian, Vartkes.

47/515—Malmagra Nominees Pty Ltd; Manjian, Loucine; Shemmessian, Vartkes.

47/516—Malmagra Nominees Pty Ltd; Manjian, Loucine; Shemmessian, Vartkes.

47/529—Malmagra Nominees Pty Ltd; Manjian, Loucine; Shemmessian, Vartkes.

MURCHISON MINERAL FIELD

Meekatharra District

Gold Mining Leases

51/2253—Cookson, Brian Charles.

51/2560—Coumbe, Graham; Coumbe, John; Coumbe, Donald.

51/2719—Endeavour Resources Ltd; Saladar Pty Ltd.

Mineral Lease

52/65—Commercial Minerals Ltd.

EAST MURCHISON MINERAL FIELD

Black Range District

Gold Mining Lease

57/1482—Doutch, John William; Boase, John Edward.

MURCHISON MINERAL FIELD

Mt Magnet District

Gold Mining Lease

58/2494—Scott, Garry James; Scott, Gregory Robert; Scott, William John; Scott, Robert William; Scott, Eric Douglas.

YALGOO MINERAL FIELD

Gold Mining Leases

59/1655—Marsh, Michael John; Ward, Fred.

59/1656—Marsh, Michael John; Ward, Fred.

59/1659—Dalveen Pty Ltd.

DUNDAS MINERAL FIELD

Gold Mining Leases

63/2365—Cassidy, David; Cassidy, Michael.

63/2366—Cassidy, Michael Peter.

63/2475—Outram, John David.

63/2744—Mount Youle Exploration NL.

63/2851—Mount Youle Exploration NL.

SOUTH WEST MINERAL FIELD

Mineral Leases

70/437—Midland Brick Co. Pty Ltd.

70/448—Western Mineral Sands Pty Ltd.

YILGARN MINERAL FIELD

Gold Mining Leases

- 77/4559—Pilbara Resources Ltd.
 77/4626—Pilbara Resources Ltd.
 77/4645—Hockley, Desmond James.
 77/4892—Troy Resources Ltd; Chapman, Errol Gilbert.
 77/4893—Watts, Stanley George Hornby; Retallack, Kevin John Vivian.
 77/5016—Johnson, Noel Walter.

KIMBERLEY MINERAL FIELD

Gold Mining Lease

- 80/151—Auridiam NL.

MINING ACT 1978

THE Minister for Mines pursuant to the powers conferred on him by Section 19 of the Mining Act 1978, hereby gives notice that all the Crown land (not being Crown land that is the subject of a mining tenement or an application therefor) described hereunder and situated within the West Kimberley Mineral Field is exempt from Divisions 1 to 5 of Part IV of the Mining Act 1978—

Starting Point is located 1 537.96 m at a bearing of 180°58' from Standard Survey Mark D.B.Y. 17 RM1 which is approximately 3 kms easterly from Nilli Bubbaca Well on the Great Northern Highway

Thence 3 045.24 m bearing 164°31'

Thence 1 005.10 m bearing 254°31'

Thence 3 045.13 m bearing 344°30'

Thence 1 005.29 m bearing 74°30' back to Starting Point.

(Public Plan: Clarkson 1:100 000.)

Dated this 13th day of April 1989.

JEFF CARR,
Minister for Works.

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership carried on between Geoffrey Stuart Barnett and Peter Norman Wilkes under the trading name "Carry on Camping and Surplus Kelmscott" at 2880 Albany Highway, Kelmscott was dissolved on 23 March 1989.

DWYER AND THOMAS,
Solicitors.

DISSOLUTION OF PARTNERSHIP

NOTICE is hereby given that the partnership heretofore subsisting between R. Tejon Martin and K. T. Kennedy of the first part and V. L. & C. A. Wilson of the second part, under the name of Stanhope Autos Midvale as being dissolved as from the 28th day of February 1989.

Dated the 21st day of April 1989.

V. L. & C. A. WILSON.

UNCLAIMED MONEYS ACT 1912

Unclaimed Moneys held by Steelworkers Co-Operative Credit Union Society Limited.

Share No.; Name and Last Known Address; Amount.
 3347; Ross William Mort, Koolan Island, WA 6733; \$46.47.

R. A. RYDER,
Secretary.

TRUSTEES ACT 1962

In the matter of the Estate of Tam Patsa, late of 556 Charles Street, North Perth in the State of Western Australia, Retired Labourer, Deceased.

CREDITORS and other persons having claims to which section 63 of the Trustees Act 1962 relates in respect of the Estate of the deceased, who died on the 25th day of October 1988 are required by the Trustee, Nick Andreou of 473 Charles Street, North Perth in the State of Western Australia, Retired Labourer, to send the particulars of their claim to Messrs. Taylor Smart of 6th Floor, 533 Hay Street, Perth by the 22nd day of May 1989 after which date the said Trustee may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 13th day of April 1989.

TAYLOR SMART.

TRUSTEES ACT 1962

CREDITORS and other persons having claims in respect of the estate Margaret Mary Russell Jane, late of 92 Mangles Street, Bunbury in the State of Western Australia, to which section 63 of the Trustees Act 1962 applies, are required to send particulars of their claims to the Executor, Clive Alan Russell Jane of 6 Glenroy Street, Bunbury in the State of Western Australia, care of Young & Young, 5 Spencer Street Bunbury by the 19th day of May 1989, after which date the said Executors may convey or distribute the assets having regard only to the claims of which they have notice, and the said Executors shall not be liable to any person of whose claim they have had not notice at any time of administration or distribution.

Dated this 14th day of April 1989.

YOUNG & YOUNG,
for the Executors.

TRUSTEES ACT 1962

In the matter of the Estate of Rocco Salvatore (in the Will Sam Rocco) D'Annolfo late of 78 Hamilton Street, Cannington in the State of Western Australia, granolithic contractor, deceased.

CREDITORS and other persons having claims to which section 63 of the Trustees Act 1962 relate in respect of the Estate of the deceased, who died on 5 August 1988 are required by the Trustee, Maria Concetta D'Annolfo of 78 Hamilton Street, Cannington in the State of Western Australia, widow to send the particulars of their claim to Messrs. Taylor Smart of 6th Floor, 533 Hay Street, Perth by 22 May 1989 after which date the said Trustee may convey or distribute the assets, having regard only to the claims of which she then has had notice.

Dated 18 April 1989.

TAYLOR SMART.

TRUSTEES ACT 1962

Notice to Creditors and Claimants

CREDITORS and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 22 May 1989, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Ard, Edward, late of Lot 15 Holden Street, Carnarvon, died 4/8/88.

Bailey, Kathleen Mary, late of 10/10 Hebron Street, Rockingham, died 22/3/89.

Bramley, John Edward, late of 30 Rockford Street, Manduran, died 8/3/89.

Brak, Jan, late of C/- Hamersley Iron, SMQ, Block 1, Room 22, Dampier, died 24/2/89.

Dennis, Leslie James, late of 52 Ewart Street, Midvale, died 30/3/89.
 Evans, Kenneth Mansell, late of 31 Cowper Road, Sorrento, died 18/3/89.
 Cutts, Olive Yvonne Agnes, late of John Wesley Lodge, Rowthorpe, Bentley, died 3/3/89.
 Gilchrist, Edith May, late of 30 Raleigh Street, Carlisle, died 15/3/89.
 Heslop, James, late of 11 Pegasus Street, Rockingham, died 18/3/89.
 Kelly, William Alfred, late of 61 McKimme Street, Palmyra, died 19/1/89.
 Kerr, William Christie, late of Unit 6/4 John Street, North Fremantle, died 29/3/89.
 Lord, Mary Blanche, late of Wearne Hostel, 40 Marine Parade, Cottesloe, died 16/3/89.
 Maller, Freda, late of Cabrini Nursing Home, 11 Guildford Road, Maylands, died 25/3/89.
 O'Neill, Lynne, (also known as Wisbey, Lynne) late of 60 Hickman Street, Mandurah, died 22/2/89.
 Pool, Eric James, late of 37 Bungis Street, Point Denison, died 10/3/89.
 Scott, George, late of Flat 7, 11 Rosendo Street, Cottesloe, died 25/2/89.
 Seubert, Dolly Idona, late of Unit 2/38 Johns Street, North Fremantle, died 26/3/89.
 Sully, George William, late of Cullen Street, Bayswater, died 24/3/89.
 Stubberfield, Richard William, late of 8 Coogee Street, Mt Hawthorn, died 1/4/89.
 Weickhardt, Hermann Franz, late of 4 Astley Street, Gosnells, died 24/3/89.

Dated this 17th day of April 1989.

A. J. ALLEN,
 Public Trustee,
 Public Trust Office,
 565 Hay Street, Perth.

TRUSTEES ACT 1962

Notice to Creditors and Claimants

CREDITORS and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd of 89 St. George's Terrace, Perth, to send particulars of their claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims, for the following expire one month after the date of publication hereof.

Cambell, Clarence William late of Yuna. Farmer. Died 4 November, 1988.
 Cantelo, Pauline Theresa late of 10 Sinclair Street, Rivervale. Married Woman. Died 30 January, 1989.
 Dunn, Mary Elizabeth late of Howard Solomon Nursing Home, 91 Hybathus Road, Ferndale and formerly of 19 Eric Street, Como. Widow. Died 3 December, 1988.
 Gadsby, Robert Stanley late of 44 Lavinia Crescent, Coolbellup. Police Officer. Died 13 January, 1989.
 Hardie, Matthew late of Unit D1 Saint Davids, 19 Lawley Crescent, Mount Lawley. Retired Agricultural Adviser. Died 23 December, 1988.
 Kavanagh, James Joseph late of Cottage Hospice, 11 Bedbrook Place, Shenton Park and formerly of 14C Yanderra Crescent, South Hedland. Iron Ore Handler. Died 19 March, 1989.

Dated at Perth this 18th day of April, 1989.

R. V. KNIGHT,
 Divisional Manager,
 Client Services Division,
 Perpetual Trustees WA Ltd.

TRUSTEES ACT 1962

Notice to Creditors and Claimants

WEST AUSTRALIAN TRUSTEES LIMITED of 135 St George's Terrace, Perth, requires creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the Estates of the undermentioned deceased persons, to send particulars of their claims to it by the undermentioned date, after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice.

Claims for the following expire one month after the date of publication thereof:

Buckham, Elsie Leonora, late of 1/2 Kathleen Street, Yokine, Home duties, died 11/2/89.
 Challenger, Myrtle Jan, late of Unit 2, 4 Leonora Street, Como, Widow, died 17/3/89.
 Reeve, Florence, late of Homes of Peace, Subiaco, Widow, died 13/3/89.
 Stevenson, Colin Blaine, late of 276 The Boulevard, City Beach, Retired Business Executive, died 7/3/89.
 Turner, Amy Clair, late of 8/99 Waterloo Street, Tuart Hill, Clerk, died 10/3/89.

Dated this 18th day of April, 1989.

L. C. RICHARDSON,
 Chief Executive.

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